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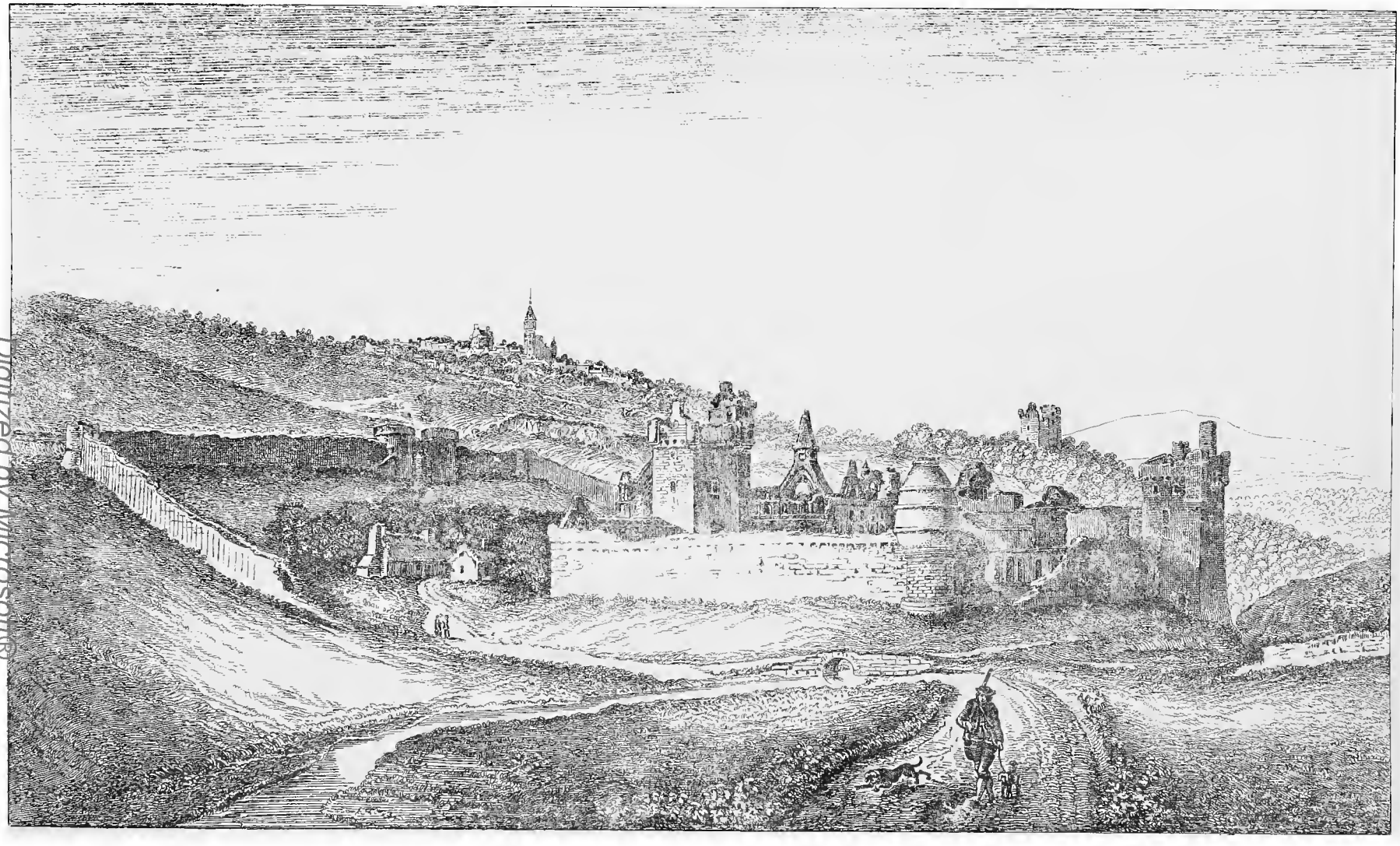

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AYR & GALLOWAY ARCH. ASSOC. 1886

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OF THE

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PREFACE

THIS collection comprises all the documents at present known to exist relative to the history of Crosraguel Abbey. The Chartulary or Register of the Monastery, which was quoted by several writers of last century, and was actually in the possession of the Earl of Cassillis in 1729, has been irretrievably lost; and when I commenced some years ago to collect and edit these Charters, the only materials at hand were a few worthless legends, to be sternly discarded by the historian. The present collection will, it is hoped, be found to contain much that is entirely new to our local history, and to give a tolerably complete narrative of the fortunes of the Abbey, with many glimpses at its interior economy, for a period of over 350 years. There are many gaps in the sequence of events, notably during the latter part of the fourteenth, and earlier part of the fifteenth centuries. Yet those were the dark ages in our national history, and few monasteries can boast of many memorials of that stormy period, save sacrilege, plunder, and oppression. The cream of the collection is undoubtedly the series of muniments from the charter chest of the Marquess of Ailsa at Culzean, to whose courtesy in allowing

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the documents to be printed the Association is much indebted. Looking to the fact that the private collections throughout the country constitute an almost unexplored mine of historical wealth, we cannot too highly commend Lord Ailsa's public-spirited example.

The Charters themselves are printed, as usual, without the old contractions, which only serve to puzzle and fail to instruct. I have endeavoured to weave them into a continuous narrative in the Introduction, which, with the Explanatory Notes, will enable the reader, it is hoped, to follow with ease and interest the fortunes of an opulent Ayrshire Abbey from its foundation to its fall.

Engravings are given of many of the most important among the charters, seals, and royal autographs; and the reproduction of several old prints of the Abbey will be found to be of interest.

In conclusion, I must express my thanks to those who have at all times given me generous assistance in the work, which has been essentially a labour of love; especially to Mr. Cochran-Patrick; to the Rev. J. Cameron Lees, D.D., St. Giles, Edinburgh; to Mr. Joseph Bain, London; to Lord Talbot of Malahide; to M. Bruel, Archéviste Publique, Paris; to Mr. Thomas Dickson, of the Register House; to the Rev. Walter Macleod; to Mr. Vans Agnew of Barnbarroch; to the Rev. J. F. S. Gordon, D.D.; to the Keepers of the various Public Libraries; and to many others. A special meed of praise is

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due to Mr. James Morris, F.S.A. Scot., for the care and skill which he has displayed in executing the drawings of the existing ruins of the Abbey buildings, and for his valuable remarks on their architectural history.

F. C. HUNTER BLAIR.

BLAIRQUHAN, MAYBOLE, *April* 1886.

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INTRODUCTION

I. The History of the Abbey.

The Abbey of S. Mary of Crosraguel has not hitherto been widely known in Scottish history for two reasons; (1) the loss of the Chartulary and the consequently scattered condition of the Charters and other documents, which have been collected from many different sources, and are now printed together for the first time; (2) the fact that its Abbots did not, with few exceptions, play as important a part in public affairs as the heads of other monastic establishments. Yet they were men held in high honour in their own country. Many of them, as we shall find, sat in the various Parliaments of three hundred years; some of their number were from time to time members of the Privy Council, Commissioners of State, Royal Ambassadors, and high legal functionaries; and under their rule the Abbey was a centre of light to the surrounding districts. The monks of Crosraguel were the agriculturists and the schoolmasters of the time. Constant instances occur in these papers of the care which they devoted to farming, to the working of the coal-heughes, to the cultivation of woods, orchards, gardens; to the development of the fine arts, such as music

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and architecture; to philosophy, science, theology, and other literary pursuits. Without doubt they did much to keep alive in the hearts of the country people a knowledge of right and wrong in very stormy times.

We shall find two leading features in tracing the history of Crosraguel from its foundation; first, a continuous endeavour on the part of Paisley Abbey to retain its superiority over its dependent house; secondly, a lasting connection between the Abbey itself and the great House of Kennedy, whose dominant influence was humorously expressed in the old saw:—

> "From Wigton to the toun of Ayr,
> Port Patrick and the cruives of Cree;
> Man need not think for to byde there,
> Unless he court with Kennedie."

The Kennedies were maternally descended from the old Earl of Carrick who founded the Abbey, and two of the family were Abbots themselves.

§ 1. *The Foundation of the Abbey.*—1200-1268.

The golden age of Scottish ecclesiastical architecture, inaugurated by David the First, the "sair sanct for the Crown," continued long after that monarch's death, and until the country was deluged with the Wars of Independence. King David's barons and their successors emulated their sovereign's example in founding churches and monasteries throughout the land. And thus we find that at the close of the twelfth century one Duncan, Earl of Carrick, to whom the whole country of Carrick had been apportioned by William

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the Lion, granted some of his lands there to the Abbey of Paisley, under certain conditions;[1] namely, that the monks of Paisley should found a monastery in Carrick after their own Order of Cluny, and that these possessions should at once be handed over to the new community. On the same terms Earl Duncan granted to Paisley the patronage of the churches of Straiton, Dailly, and S. Oswald of Turnberry;[2] and entrusted to its care the books, vestments, and other articles necessary for the use and adornment of the future monastery.[3]

The monks of Paisley evaded the conditions of this munificent grant. The Church of Turnberry was confirmed to them by Florence, the Bishop-elect of Glasgow, in 1202;[4] twenty-three years later, Honorius III. confirmed to their use the lands of Crosraguel and Southblane;[5] and in 1236 they received a confirmatory grant of the churches of Turnberry, Straiton, and Dalmakeran, from Alexander the Second.[6] Meanwhile they built at Crosraguel a cell or oratory, where they had service performed by some of their own community for many years, enjoying all the while the wealthy emoluments of the Carrick lands.[7]

In 1244 the Earl appears to have suddenly awoke to the manner in which his munificent endowments were being misapplied. He accordingly complained to the Abbey of Paisley. William de Bondington, Bishop of Glasgow, was appointed arbiter in the matter; and the "Scriptum de Corsragmol"[8] records his decision. The Paisley monks were

[1] Vol. i. pp. 1-10. [2] Vol. i. pp. 2, 5. [3] Vol. i. p. 5 (note). [4] Vol. i. p. 2 (note).
[5] Vol. i. p. 1. [6] Vol. i. pp. 2-3. [7] Vol. i. pp. 6-10. [8] Vol. i. pp. 3-6.

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forthwith to erect a monastery at Crosraguel, to be governed by an Abbot, who should be elected by the monks, and be free from the jurisdiction of the Abbot of Paisley. With one exception—that the Abbot of Paisley should visit the younger house once a year with a moderate retinue, and should correct any irregularities which he found therein. Further, the lands held in Carrick were to be ceded for ever to the house of Crosraguel for the yearly payment of ten marks of silver.

Such was in effect the Charter of foundation; and Earl Duncan himself superintended the erection of the church and the surrounding buildings.[1] He died in 1250, and other hands completed the work. He was a great benefactor to the Church. He had granted his lands of Maybottle to the monks of Melrose, and the parish church of Maybole to the Cistercian Nunnery of North Berwick.[2]

Duncan was succeeded in the earldom by his son Nigel, who figures in history as a leader of the English party, and as a Regent of the kingdom after the Roxburgh Convention in 1255. Like his father he was a generous patron to Crosraguel, and granted to the monastery various lands from his earldom of Carrick.[3]

Before long, the old disputes as to the conflicting rights of Paisley and Crosraguel to the Carrick lands broke out afresh. The Paisley monks were dissatisfied with the decision of the Bishop of Glasgow, and in 1265 they appealed to the Papal Court for a restitution of their former privileges.[4] Clement the

[1] Vol. i. p. 5 (note). [2] *Chart. Melrose;* Paterson's *Ayrshire*, ii. p. 367.
[3] Vol. i. pp. 17-18. [4] Vol. i. pp. 6-10.

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Fourth issued a Papal commission, consisting of three churchmen of high rank, to summon witnesses for the hearing of the case, and to terminate it by judgment within the year. From the charters which follow this appeal[1] it is clear that the commission decided in confirmation of the Scriptum of 1244. True that in later years Crosraguel and Southblane were enumerated among the possessions of Paisley in Papal bulls,[2] but they were confirmed in many subsequent charters to Crosraguel.[3] The Abbey had thus obtained a firm hold over its property, and was at length in a position of prosperity and power.

§ 2. *The Abbey under the Bruces.*—1268-1370.

Crosraguel is for the next hundred years inseparably associated with the fortunes of the family of Bruce. The origin of their settlement in Carrick is well known. In 1268 a young knight, Robert de Brus, son of the Lord of Annandale, was riding through the domains of Marjory Countess of Carrick, the daughter of Earl Nigel. There he encountered the fair owner of the Castle of Turnberry, and was led off by her to the castle. They were married within a month, and the issue of their romantic love was the great King Robert.[4] The Countess Marjory had herself been a great benefactress to Crosraguel;[5] and we find that Robert de Brus, who acquired the earldom in right of his wife, followed her pious example in making grants of land to the Abbey.[6] The Castle of Turnberry was

[1] Vol. i. p. 10, *et passim.* [2] Vol. i. p. 10. [3] Vol. i. pp. 15-16, *et passim.*
[4] Tytler, vol. i. p. 70; Barbour's *Bruce.* [5] Vol. i. pp. 17-18. [6] Vol. i. pp. 17-18.

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now literally a tower of defence to the monks in these troublous times.

In the year 1275, the Pope sent an Emissary named Boiamund da Vicci into Scotland to collect the tenth of all ecclesiastical benefices to defray the cost of the great Crusade to the Holy Land.[1] The tax was sternly enforced, according to the "True Value" of the livings, though the clergy strove hard to have it raised on the "antiqua taxatio." They resisted it tooth and nail, among them doubtless the Abbot of Crosraguel, who had to contribute £53 : 6 : 8;[2] other churches in Carrick, dependent upon the Abbey, being also taxed. The total amount collected was £7195.

After the calamitous death of Alexander the Third and the accession of the Maiden of Norway in 1286, a powerful party of barons was formed against the young Queen. They met at the Castle of Turnberry in September, when one Patrick was Abbot of Crosraguel,[3] and drew up the famous covenant for mutual protection. Abbot Patrick was on intimate terms with these malcontent nobles. He witnessed a charter[4] by one of the signatories to the covenant, Alexander Lord of the Isles; among the other witnesses being Robert Bruce and his son, the future King Robert the First. Patrick is the first abbot of whom any record is preserved. We do not find his name among those present at the meeting of the Scottish Estates at Brigham in 1290, when the celebrated treaty was concluded confirming to the people their ancient rights. Still

[1] *Statuta Ecclesiæ Scoticanæ*, p. lxvii.; Tytler, vol. i. p. 70; Lees' *Paisley Abbey*.
[2] Vol. i. p. 11. [3] Vol. i. pp. 12-13. [4] No. 7, p. 12.

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more important is it to relate that no Abbot of Crosraguel figured at the Parliament of Berwick in 1296, when multitudes of Scotchmen of every rank, whose names fill thirty-five skins of parchment, flocked at the peril of their lives to swear fealty to Edward.

During the next ten years, memorable for the heroic efforts of Wallace to free his countrymen from the English yoke, and culminating in his execution and the subsequent coronation of Robert Bruce, little is known of Crosraguel. A new figure has appeared upon the scene. Henry de Percy, nephew of Surrey, and one of Edward's bravest generals, was appointed Keeper of Galloway and the Sheriffdom of Ayr in 1296. The country was now dominated by the English party, and in 1306 Percy was again despatched into Carrick. He held the Castle of Turnberry all that year. On St. James' Day we find him writing from the very Abbey of Crosraguel[1] to Sir James Dalileghe for two engines of war; and it is marvellous how Crosraguel escaped the fate of Dunfermline, Paisley, St. Andrews, Kelso, and countless other monasteries, at the sacrilegious hands of the English soldiery. The gifts to the Abbey in 1329 from the royal purse[2] prove that the old buildings of Earl Duncan had not remained intact. But the tide soon turned. The Bruce landed at Turnberry with a few faithful followers. The men of Carrick rose in a solid mass and fought in his favour. Percy evacuated the royal castle; and a series of hardly-fought successes, culminating in the decisive field of Bannockburn, put an end to all hopes on the

[1] Vol. i. pp. 13-14. [2] Vol. i. pp. 18-19.

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part of England of accomplishing the conquest of her sister country.

Yet in these stirring times the Earls of Carrick did not forget their Abbey. In 1306 King Robert conferred the earldom on his brother, the gallant Edward, whose gifts to Crosraguel of Dalchorane, Corale, and Hackethinvach we find duly confirmed by royal charter in 1324.[1] The King was himself lavish in his benefactions to the Abbey. In spite of the thunderings of the Court of Rome, the Scottish clergy knew him to be their friend, and never deserted him. And in the last five years of his eventful life, when peace was partially restored, we find him bestowing many lands upon the Church. We have three Crown Charters to Crosraguel in his reign. By the first, which is dated 1324,[2] he granted to the Abbey the lands of Dungrelach, where in a later day the monks built a mill, which was a source of great profit. By the second of the same date[3] he erected all the Abbey lands into a free barony, implying not only the highest and most privileged tenure of land, but a vast jurisdiction over the inhabitants. The concomitant privileges of the barony included the *sac et soc*, the right of judging in litigious suits; *tholl et teme*, the exaction of toll and the bonds of mutual warranty; *furca et fossa*, the "gallows and pit," or the right of capital punishment in certain cases; *infangthef et outfangthef*, the right to punish a thief when caught with the "fang," either within or without the Abbey's jurisdiction. These pertinents of the barony belonged *de jure* to the Crown, and the grant of them was a mark of special

[1] Vol. i. p. 16. [2] Vol. i. pp. 14-15. [3] Vol. i. pp. 15-16.

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favour. By the third Crown Charter, dated 1327,[1] the King confirmed to the Abbey the lands granted by the previous Earls of Carrick.

A few months after David the Second had commenced his ill-starred reign, the Abbot of Crosraguel received the King's Penny for three years for the repair of his monastery, amounting to £100 : 1 : 10.[2] The Parliament of the previous year had ratified the taxation of the country for the payment of the indemnity of £20,000 to England. This was termed the *Contribucio pro pace*, and was to be levied according to the tenth penny of the rents for three successive years. Sir Malcolm Fleming, the bailie for Carrick, collected over £430, from which the sum above mentioned was returned to the Abbot of Crosraguel.

We know little of the Abbey for the next thirty years amid the turmoil of the English wars. About 1360 we have the Abbey seal attached to the charter of Marjory Montgomery[3]—ten years before the death of the last of the royal Bruces.

§ 3. *The Abbey under the first Stewarts.*—1370-1460.

The Charters of this period relate chiefly to the domestic history of the monastery. The Abbots of Paisley had never relaxed one iota from their control over Crosraguel, as laid down in the old decree of Bishop William, and we have in 1370 an interesting episode arising from the connection.[4] The

[1] Vol. i. p. 17. [2] Vol. i. pp. 18-20. [3] Vol. i. p. 21. [4] Vol. i. pp. 22-5.

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then Abbot of Paisley paid frequent visits to his dependent house, and to his sorrow, we are told, found many "faults and defects" among the community. These appear to have arisen from the inability of their aged Abbot, Roger of Dunfermline, to regulate their conduct. The notarial instrument prosaically narrates how the Superior of Paisley summoned the Crosraguel fraternity to appear before him on a certain Wednesday; how the monks appeared in their own monastery with their venerable Abbot; how that worthy old man, after the reading of the citatorial letter, resigned into the hands of the Abbot of Paisley the whole dignity of the Abbot of Crosraguel; and being pressed for his reason, he replied that, "owing to age and weakness he was unable to rule the flock committed to him by God as behoved the office of a good shepherd; and that he desired rather to be entirely stripped of the honour of the prelacy, than under the name of a pastor to allow his flock to be devastated by the ravening wolf." The whole story is a pathetic one, and reminds one strangely of the tale of Abbot Boniface in *The Monastery.* On the resignation of Abbot Roger, who returned to his former home at Dunfermline, Nicolas, one of the monks, and possibly the prototype of the Father Eustace of Walter Scott, was elected in his place.[1]

Nicolas was undeniably an able and energetic man. During the visit of Robert the Second to Carrick in 1374 the Abbot prevailed upon the King to ratify, at the parish church of Kirkoswald, the three Crown Charters of Robert the

[1] Vol. i. p. 26.

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First.[1] In the lawless districts of Carrick these charters of confirmation must have been literally worth their weight in gold to the monks. It is not clear how long Abbot Nicolas ruled at Crosraguel. He witnesses several charters of the period, notably a most interesting deed by John Kennedy of Dunure to the Chapel of S. Mary of Maybole[2]—remarkable for the fines to be levied upon the presbyters for non-attendance at mass—and another charter (not in this collection) by Roland Kennedy of Blairquhan in 1390.[3]

We might almost hope that Nicolas lived to see the great Crosraguel Charter of 1404, signed by Robert the Third.[4] This was the climax of all preceding grants, the Charter *in liberam regalitatem seu regaliam,* the confirmation of all the Abbey lands and other property to be for ever in a free regality. Among them we find the churches of Kirkoswald, Straiton, Dailly, Girvan, and Kirkcudbright or Ballantrae; the chapels of Kirkdamdie and Chapel Donnan; the various lands granted by previous benefactors, and the island of Ailsa Craig. The Abbot of Crosraguel was created absolute sovereign over his whole territory. The grant of regality gave to him all that the Crown had to give, even to the *quatuor puncta coronæ,*—the jurisdiction in cases of murder, fire-raising, rape, and robbery. Not even the mother house of Paisley enjoyed this last privilege; and the conferring of so high an honour upon Crosraguel was a living proof of the interest which the royal descendants of the old Earls of Carrick took in the welfare of the Abbey.

In the year 1405 the Abbey of Cluny sent a deputation to

[1] Vol. i. pp. 28-30. [2] Vol. i. pp. 33-6. [3] *Univ. Library MSS.* (Dr. Laing's collection). [4] Vol. i. pp. 37-40.

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visit all the houses of the Order in England and Scotland. The deputation appears to have visited Crosraguel, and to have mentioned in its report,[1] preserved in the National Archives at Paris, that *ten* was the regular number of the inmates of the monastery.

We cannot doubt that the monks enjoyed peace and prosperity during the brilliant reign of James the First. The Abbot at this period was a man in high favour at Court, for we find him despatched as Special Ambassador to Ireland in 1429, to bring back from the Prince of Connaught the head of the rebel Donald Balloch.[2] And we have the Conventual seals appended at Crosraguel to a remarkable charter which was drawn up there in 1415.[3] These are glimpses, in an obscure period of history, of the high position which the Abbey continued to occupy.

§ 4. *The Abbacies of Colin, David, and Robert.*—1460-1520.

In the year 1460 one Colin was elected Abbot of Crosraguel. He was an important figure in its history. His first care was to restore the buildings of his Abbey, which had been shattered by the violence of the English; and Father Hay (quoting apparently from the lost Chartulary) describes him as spending whole days in superintending the work of restoration.[4] Abbot Colin's work was doubtless a great one. To him we probably owe the richly designed chapter-house and other monastic

[1] Vol. i. p. 40. [2] Vol. i. p. 42. [3] Vol. i. pp. 40-42.
[4] Vol. i. pp. 45-6.

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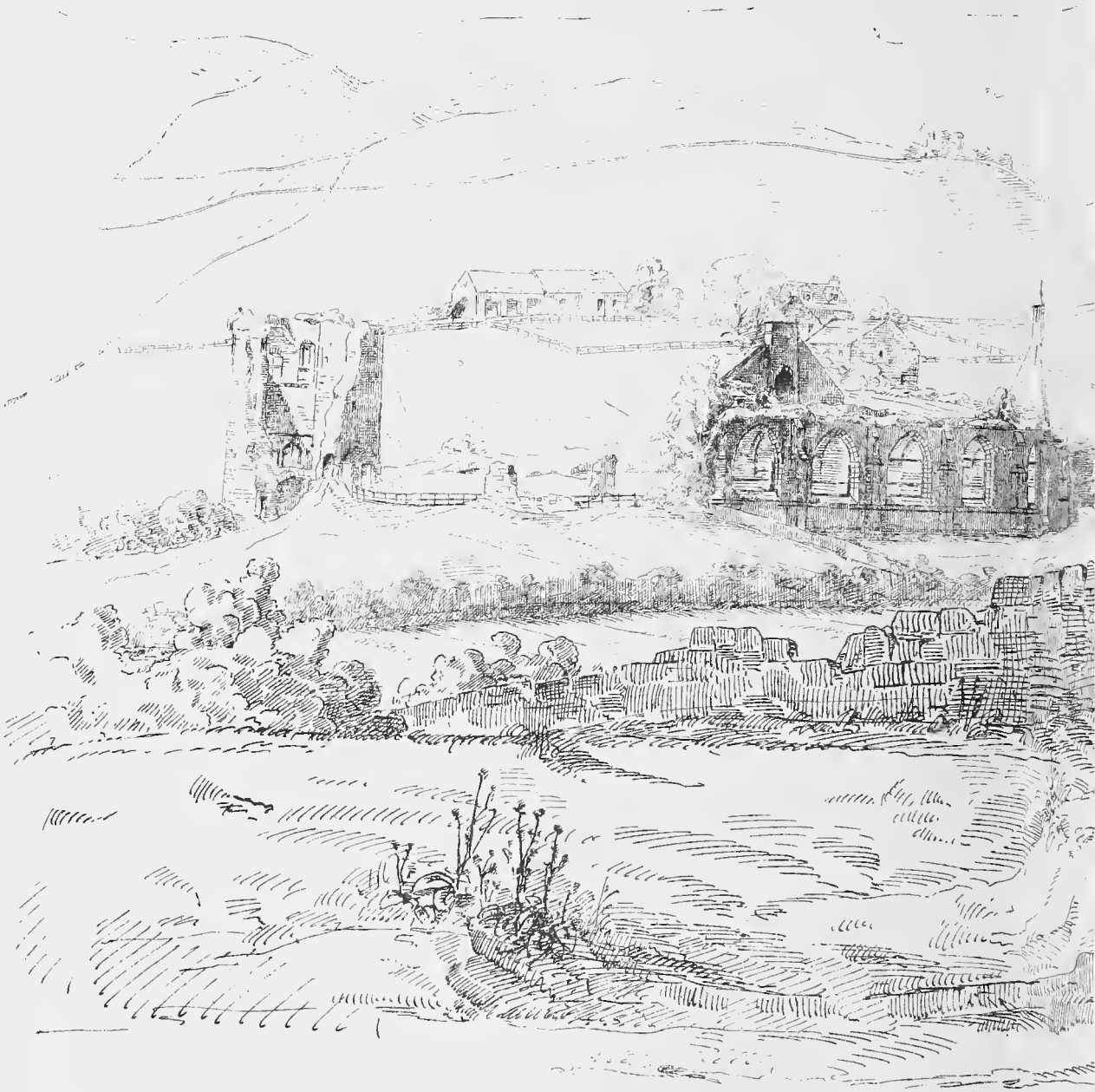

VIEW FROM THE N

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buildings of the same period; and the restoration of the greater part of the church. His taste for architecture found him favour with that patron of the fine arts King James the Third, and he was a constant attendant at the various Parliaments of that monarch's reign. Twice in 1478,[1] when the subsidy of 20,000 marks was granted to the King; three times in 1481,[2] when energetic measures were adopted in view of a war with England; in December 1482,[3] when the supreme power was usurped by Albany as Lieutenant-General of the kingdom; and twice in 1485.[4] So far back as 1465 he was appointed arbiter, with Lord Cathcart and others, in the event of any disputes regarding certain dowries of the Kennedy family;[5] and in 1477 he witnessed an Act of the Great Seal.[6] He obtained many special privileges for his monastery. Among others an important renunciation of any right of episcopal visitation within the monastic precincts.[7] In his time, too, occur the first series of writs relating to the Fergussons of Knockgarron[8]—full of interest for the information they afford us on the solemn methods of transfer of land from father to son in early times, by resignation and subsequent infeftment through bailies specially appointed for the purpose by the lord of the regality.

In the last year of Abbot Colin's life a charter was signed by the Abbot and five of the monks to one of these Fergussons,[9] and the first mention is made of the Chapter House.[10] He

[1] *Acta Parl. Scot.*, vol. ii. pp. 115, 120. [2] *Ibid.*, pp. 133-6. [3] *Ibid.*, p. 142a.
[4] *Ibid.*, pp. 166-9. [5] Vol. i. p. 43. [6] *Reg. Mag. Sigilli*, vol. ii. p. 270.
[7] Vol. i. pp. 43-5. [8] Nos. 29, *seq.* [9] Vol. i. pp. 53-4. [10] P. 53.

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died in 1491,[1] and Robert de Quintfort or Whytefoord, a brother of Whytefoord of that Ilk,[2] and previously cellarer in the monastery of Paisley,[3] was elected to the vacant Abbacy. He took no part in public affairs, and his rule at Corsraguel was brief and colourless. Yet he watched over the interests of his Abbey with a jealous eye, and when the Laird of Bargany in 1493 usurped a portion of the *decimæ garbales* of the regality—the most precious privilege that a monastery enjoyed—Abbot Robert summoned him before the Lords Auditors of Causes and Complaints in Edinburgh.[4]

He was succeeded by David, perhaps the David Chalmer mentioned in a charter of 1492[5] as being one of the Community. He witnessed an Act of Privy Seal in 1498.[6] In his time the Fraternity were much disquieted by the appearance of one John Hamilton, who pitched his sacrilegious tent at the very gate of the Abbey, occupying four dwelling-houses, a smithy, an orchard, and a yard. And as Hamilton stoutly refused to give up his occupancy, the Abbot obtained a decree from the Lords of Council ordaining this troublesome neighbour to quit before term day.[7] But Abbot David did more for Crosraguel than this. From the Archbishop of Glasgow he obtained a confirmation of all the spiritual rights of the Abbey.[8] And in 1515, when the Archbishop of St. Andrews was delegated by the Pope to visit every monastery in Scotland, and to punish the "excesses and enormities of the brethren dwelling

[1] Vol. i. p. 54. [2] Vol. i. p. 47 (note). [3] Vol. i. p. 47.
[4] Vol. i. p. 57. [5] Vol. i. p. 56. [6] *Reg. Mag. Sigilli*, vol. ii. p. 523.
[7] Vol. i. p. 63. [8] Vol. i. p. 64.

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"therein," the Abbot of Crosraguel obtained a special dispensation from any inspection of so equivocal a nature.[1] The fact that the Archbishop bound himself by oath never to visit or reform the monastery of Crosraguel speaks volumes for the excellent discipline which had been maintained under the rule of its late abbots, in an age when the luxury and indolence of the clergy had passed into a byword.

§ 5. *The Abbey under William Kennedy.*—1520-1547.

During the forty years preceding the Reformation, the monks of Crosraguel enjoyed the immediate protection of the Earls of Cassillis; and two eminent members of this family were abbots during the period. In 1520, William, brother to the second earl, was elected to the vacant office.[2] Jealous of their ancient rights, the Abbot and Convent of Paisley protested in vain against the election, which they refused to confirm as vicars of the mother house of Cluny.[3] William was duly elected, and retained the Abbacy until his death in 1547. We may notice here how the abbots were appointed at Crosraguel. By their ancient Charter of foundation the monks had full power given to them to elect their own abbots.[4] We have instances of this in 1370, when Nicolas succeeded Abbot Roger,[5] and again in 1491;[6] though in the latter case the election was confirmed by the Pope.[7] Towards the close of the fifteenth century, the right of election was gradually

[1] Vol. i. pp. 65-7. [2] Vol. i. p. 68. [3] *Ibid.* [4] Vol. i. pp. 3-6. [5] Vol. i. p. 26. [6] Vol. i. p. 54. [7] *Ibid.*

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wrested from the clergy by James the Third, although he had previously passed an Act in their favour;[1] and in 1550 the right of appointment to the vacant benefices belonged solely to the Crown. Thus, although William Kennedy was elected in 1520 by his own monks,[2] Abbot Quintin was in 1550 appointed by the Crown;[3] and in 1565 we find the actual gift of the Abbacy by Queen Mary to Allan Stewart.[4]

Abbot William was a man of influence and ability. While devoting a great portion of his time to the duties of monastic life, to the encouragement of literature among his little community, to the erection of many beautiful buildings within the Convent walls, and to the management of the vast landed estates belonging to the Abbey,—he yet continued to take an active part in the political events of the day. During the twenty-seven years of his *Régime*, he was eight times present in the National Parliament.[5] He was twice a Commissioner of State,[6] once a Commissioner for the discussion of the "Dooms,"[7] and a member of the Privy Council.[8] Besides the Abbacy of Crosraguel he held for many years the Commendatorship of the opulent Abbey of Holywood.[9] He was an intimate friend of Gavin Dunbar, Archbishop of Glasgow, and of Henry, Bishop of Galloway; while his position as "Tutour" to the young Earl of Cassillis brought him into contact with all the leading men of the time.

Among the charters of this period are three writs of great

[1] *Acta Parl. Scot.*, vol. ii. [2] Vol. i. p. 68. [3] Vol. i. p. 103.
[4] Vol. i. p. 141. [5] *Acta Par. Scot.*, vol. ii. pp. 308, 321, 335, 339, 410, 468, 471, 598.
[6] *Ibid.*, pp. 409, 470. [7] *Ibid.*, p. 410.
[8] *Register of the Privy Council*, vol. i. pp. 33, 39, 60, 67. [9] Vol. i. p. 79.

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interest relating to Knockgarron,[1] showing the ancient solemnities of the former surrender of land by the owner on bended knees, within the monastic chapter-house, and the subsequent delivery to the heir by the symbolical staff and baton. A charter full of interest to the archæologist occurs in 1520,[2] being a grant of land by Sir James Douglas, a prebendary of the church of Maybole.

On the assassination of the second Earl of Cassillis in 1527, the young earl, then in his 12th year, was placed under the guardianship of the Abbot; who for eleven years watched over his nephew's interests with paternal care. Many instances occur at this period of the thoughtfulness which he displayed in his dealings with the Kennedies of Blairquhan, and in providing for the widow of the murdered earl. In 1528 he was summoned before the Secret Council,[3] together with nearly every member of the clan Kennedy, for the slaughter of the Laird of Lochfergus, but he appears to have been acquitted. He attended the great meeting of the Scottish Estates in the same year, when the attainder was passed upon the Douglases.[4]

In April 1530 Abbot William obtained a royal license or "saufgarde" to pass to France and other places beyond seas on his pilgrimage to Rome,[5] whither many of the Scottish prelates were now going, to keep in favour with the Papal Court at the cry of "Breakers ahead." In this year, too, a learned monk of Crosraguel died, named Michæus, the author of

[1] Vol. i. pp. 71-80. [2] Vol. i. p. 68. [3] Vol. i. p. 88.
[4] *Acta Parl. Scotiæ*, vol. ii. p. 321. [5] Vol. i. p. 91.

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many theological treatises.[1] The monks also lost a great benefactress, and the Abbot a personal friend, in the death of Egidia Blair, Lady Row of Baltersan. By her will, which is preserved,[2] she appointed the Abbot her executor, bequeathing to the monastery twenty pounds, and directing her body to be buried at Crosraguel, in S. Mary's aisle. Recent excavations at the Abbey have discovered her tomb, and prove her instructions to have been literally carried out. Through her decease the Abbey gained a royal signature to the gift of her land of Row.

Abbot William must have returned from his pilgrimage in 1532, for we find him attending the Parliament of that year which instituted the College of Justice.[3] In 1534 he leased the parsonage fruits of the church of Straiton to James Kennedy of Blairquhan[4]—the first instance of a lease in these documents—and in 1535 he was again in Parliament.[5] Two valuable letters, facsimiles of which are given, were written to him by Henry, Bishop of Galloway, in 1536,[6] regarding the churches of Inch and Leswalt, which had been let to the young Earl of Cassillis.

On the earl attaining his majority in 1538, the Abbot was relieved from the tutorship, and discharged his former ward from all the duties incidental to the various lands.[7] This young nobleman had profited by his uncle's excellent training, and took a prominent part in the stirring events of the day.

[1] Hay's *Scotia Sacra* (MSS., Adv. Lib.), p. 87. [2] Vol. i. pp. 92-6.
[3] *Acta Parl. Scot.*, vol. ii. p. 335. [4] Vol. i. pp. 96-7. [5] *Acta Parl. Scot.*, vol. ii. p. 339.
[6] Vol. i. pp. 98-9. [7] Vol. i. p. 99.

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He was taken prisoner at the battle of Solway Moss and conveyed to England, where he embraced the Reformed religion. The Abbot was meantime appointed Commissioner for holding the Parliament after that crushing defeat,[1] and his vote is recorded as having been cast for Arran as governor of the kingdom. But troubles appear to have arisen around his own monastery. The long-continued absence of the earl, and his second departure into England, evoked a letter in 1544 from the aged prelate,[2] wherein he entreats him to return home, for there were "mony cummeris and veray grit trublis now, and mony unfreindis and fewer freindis." The Scottish clergy were in fact beginning to realise that the old Church was in danger. Doubtless it was this sense of insecurity that prompted the Archbishop of Glasgow, Gavin Dunbar, to deposit in 1546 all his treasure and personal effects in the hands of his friend the Abbot of Crosraguel. The Archbishop's will,[3] which is printed here in full, discloses an enormous amount of wealth to have been entrusted to the Abbot's keeping. Richly embroidered vestments, gold and silver goblets, jewels of the rarest kinds, a valuable library, and nearly four thousand pounds in money, formed the nucleus of the Prelate's property; and the entrusting of them to the care of Abbot William is a sure sign of the high estimation in which he was held by a great man like Gavin Dunbar.

We find that the Abbot was busy and energetic to the last. In 1546 a Lord Commissioner for holding the Parlia-

[1] *Acta Parl. Scot.*, vol. ii. p. 409. [2] Vol. i. pp. 100-1. [3] Vol. i. pp. 108-116.

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ment which attainted the murderers of Cardinal Beaton;[1] elected a member of the Privy Council in the same year;[2] in the winter of 1546 at St. Andrews, busily concerned with the domestic affairs of his Abbey; and in the spring of 1547 present at the last Parliament of his life.[3] He had spent it well, in the service of his monastery, his country, his sovereign, and his church; and, in an age when the lives of all the Scottish prelates were not perhaps emblems of perfection, it is notable that not a breath of slander sullied the blameless life of William Kennedy.

§ 6. *The Abbey under Quintin Kennedy.*—1547-1564.

During the next seventeen years—a period fraught with momentous consequences to Scotland—the monks of Crosraguel were ruled by the most ardent champion of the Established Church. Distinguished as a historian, a theologian, and a scholar, famed for his piety and his courage in resisting the steady current of Reformed opinion, Quintin Kennedy was emphatically a man abreast of his age. He was born in 1520,[4] the year of his uncle's election to the Abbacy of Crosraguel. His father was the second Earl of Cassillis, his mother Lady Isabel Campbell. He received his early education at St. Andrews, his name occurring among the students incorporated in 1540 at S. Salvator's College. Thence he

[1] *Acta Parl. Scot.*, ii. p. 470. [2] *Register of the Privy Council*, vol. i. p. 33.
[3] *Acta Parl. Scot.*, ii. p. 598.
Mackenzie's *Lives of the Scotch Writers*, iii. 57; Wodrow Society's *Miscellany.*

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proceeded to Paris to complete his studies, where he gained the friendship of his future antagonist, John Davidson, who in 1563 spoke of the "auld Parisiane kyndnes that was betuix us." On his return from France he was appointed by his uncle the Abbot to the vicarage of Girvan.[1] He never was Prior of Whithorn, as Mackenzie, with his usual inaccuracy, has stated. On the death of his brother Thomas at the battle of Pinkie he was presented to the benefice of Penpont,[2] and he succeeded his uncle in the Abbacy of Crosraguel in the autumn of 1547.[3]

The Earl of Cassillis had been entrusted by the monks with the guardianship of their monastery on the death of Abbot William;[4] and the first act of the new superior was to discharge the Earl of "all sums of money, goods, and gear," intromitted with by him during his guardianship,[5] and to acknowledge the faithfulness with which he had executed his trust. There were now eight brethren in residence at Crosraguel, with their Abbot Quintin and their Sub-Prior Robert MacEwen.[6] They lost about this time from their number one Gilbert Macbrayar,[7] who is recorded as having made many sumptuous additions to the Abbey buildings. Quintin Kennedy was probably the first Abbot to occupy the stately mansion to the south-east of the cloister.

Quintin was thrice present at the Privy Council in 1548,[8] and bore his part in the discussions which followed the defeat

[1] Mackenzie's *Lives*, p. 60. [2] *Ibid.* [3] Vol. i. p. 103.
[4] *Ibid.* [5] Vol. i. pp. 102-5. [6] Vol. i. p. 107.
[7] Hay's *Scotia Sacra* (MSS., Adv. Lib.), p. 87. [8] *Register of the Privy Council*, ii. 60-7.

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of the Scottish forces at Pinkie. During the next ten years he was too busily engaged with his theological studies to pay much attention to affairs of State, though he was at the Parliament of 1554, and signed the bond "warranting the Duke of Châtelherault from meddling with the Royal Purse."[1] The following is a complete list of his works:[2]—

(i.) "A Compendius Tractive conform to the Scripturis of Almychtie God, Ressoun, and Authoritie, declaring the nerrest and onlie way to establishe the Conscience of ane Christiane manne in all matters concerning Faith and Religioun."

The manuscript is in the Auchinleck Library. The work created an immense sensation at the time that it was published; and in his reply to it John Davidson acknowledged that by its means "mony persons were movit to continew still in their auld superstitioun and idolatrie, who otherwise would have embraced the sincere and trew religioun of Christ befoir these dayis, gif it had been suppressit in its infancie."

(ii.) "De Publico Ecclesiæ Sacrificio."

(iii.) "Contra errores Germanorum in Fidei capita quatuordecem defensa contra Georgium Sophocardium."

(iv.) "Responsio ad Joannis Davidsoni opus."

(v.) "De vetitorum abstinentia."

(vi.) "De illicito Presbyterorum matrimonio."

(vii.) "De cultu imaginum."

(viii.) "Palinodia Willexio reddita, xxix; Martii, MDLXII.

(ix.) "Querimonia super Knoxii fraude et impietate."

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[1] *Acta Parl. Scotiæ*, ii. p. 603.

[2] From Mackenzie's *Lives*. (Cf. also Wodrow *Miscellany;* M'Crie's *Life of Knox;* Paterson's *Ayrshire*, vol. ii., etc.)

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(x.) "Oratio pro obedientia supremis potestatibus habita die ultimo Augusti, MDLXII."

(xi.) "De præsentia corporis in Sacramento altaris."

He also wrote a learned work on the "Judge of Controversies" in eighteen chapters, giving a detailed history of the Church Councils from early times.

In these ten years before the Reformation many important charters occur relating to the Abbey lands. In 1552 we find a lease by the Abbot to the Earl of Cassillis of the teinds of Straiton church for the annual payment of £80;[1] another to David Kennedy of Pennyglen of the lands of Baltersan and Knockronald;[2] a third to one John Kirkpatrick of the lands of Clonlicht.[3] We have also a singular agreement between the Abbot and Sir Hew Kennedy of Girvanmains, by which Sir Hew was, under certain conditions, to pay to the Abbot and his successors 180 salmon yearly from the Water of Girvan.[4]

On the establishment of the Reformed religion by the Parliament of 1560, Abbot Quintin displayed marvellous energy in defence of his monastery. A zealous supporter of the policy of the Queen Regent, and himself supported by the powerful protection of Cassillis, he was fortunate in preserving Crosraguel from the fate of others among the Scottish monasteries. Yet we find his name among those condemned by the first General Assembly of the Reformed Church,[5] together with the Earls of Cassillis and Eglinton, the Laird of Kirkmichael, and the parishioners of Maybole, Girvan, Kirkoswald, and

[1] Vol. i. pp. 117-18. [2] Vol. i. pp. 119-21. [3] Vol. i. pp. 121-3.
[4] Vol. i. pp. 136-7. [5] Vol. i. pp. 124-5.

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Dailly. Notwithstanding the stringent enactments of the new Parliament, in Ayrshire and Galloway the new doctrines were long in taking root among the mass of the country people; and the influence of Abbot Quintin was mainly devoted to opposing them.

In 1561 the death-knell of the ancient monasteries was sounded. From Inverness and Elgin in the north, to Dryburgh and Whithorn in the south, the work of iconoclasm proceeded with ruthless violence. On the passing of the Act of Privy Council that "Idolatrie and all monumentis thairof suld be suppressit throughout the haill realme," the Earls of Arran, Glencairn, and Argyle, were despatched to the West to carry out the behest of the Congregation. We are told that they cast down Failfurd, Kilwinning, and "a part of Crosraguel."[1] How large a part that was, the shattered ruins of the once stately edifice are a silent witness. Abbot Quintin and his powerful patron could save the Abbey from total destruction, but they were unable to stem the torrent of popular feeling which had been aroused by the eloquence of Knox.

In this year, 1561, the Privy Council ordained that the annual revenues of every benefice in the kingdom should be calculated,[2] out of which the Catholic clergy were to pay one-third to the Queen, and to keep the remainder to themselves. The valuation of Crosraguel was given in at £409 : 13 : 4,[3] from which £100 was to be paid to the Crown. The actual

[1] Vol. i. pp. 126-7.

[2] Tytler, vol. v. p. 344; *Assumption of the Benefices* (MSS., Adv. Lib.); and *infra*, vol. i. p. 125.

[3] Vol. i. pp. 125-6.

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value of the benefice was undoubtedly greater. In 1275 the Abbey was valued for Bagimont's Roll at £533 : 6 : 8,[1] and in 1564 the whole benefice was leased to the Earl of Cassillis for 700 marks, or £466 : 13 : 4.[2] Yet the Abbot stoutly resisted the payment of the "Third," and he even incurred the pains of "horning" for refusing to deliver it to the Crown.[3] To the day of his death he worked hard to keep alive in his countrymen the old attachment to the Catholic faith. His famous disputation with John Knox at Maybole, a full account of which is given in the text,[4] lasting three days, and terminating with little definite result, proved him to be an antagonist well worthy of the Reformer's steel. He also challenged Willock to a controversy at Ayr in 1559, and sent a whole cartload of books to the market-place there to overwhelm him. Willock waited until ten in the morning for his opponent, who on his arrival found the preacher flown, and nailed a protest to the market-cross.[5]

Quintin died at Crosraguel on the 22d of August 1564.[6] There is no authority for the statement that he met his end by poison.[7] He was undoubtedly among the greatest and best of the Catholic clergy, and a worthy successor to Abbot William. He devoted the greater part of his life to combating the doctrines of the Reformers, a task for which his noble birth, his great talents, and his scholarly attainments eminently fitted him. He was not canonised at his death.[8] He earned

[1] Vol. i. p. 11. [2] Vol. i. pp. 137-8. [3] Vol. i. p. 126. [4] Vol. i. pp. 128-30 (note).
[5] M'Gavin's *Life of Knox*, p. 529. [6] Vol. i. p. 139. [7] *Ibid.*
[8] He has been confused with S. Kinetus of Eremita, a saint of the 6th century.

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the esteem both of those who agreed and who differed with his opinions; and the epigram on his life by one of the latter, Archbishop Adamson, is worth recording:—[1]

"Væ mihi quod dederam Papæ nomenque fidemque,
Væ mihi quod Christi strenuus hostis eram!
Væ vobis, Papistæ omnes, nisi tempore vitæ
Vos Christum amplexi Pontificem fugitis."

§ 7. *Allan Stewart the Commendator.*—1565-87.

The Reformation was now an accomplished fact. The old order had changed, giving place to the new. The Catholic religion existed only on sufferance. Many of the monasteries had already succumbed to the *force majeure* of fire and sword. The inmates of these ancient sanctuaries had fled from their homes, and administered the offices of religion at the peril of their lives; while a general scramble for the wealthy property of the Church ensued among the great nobles. Crosraguel, as we have already seen, had been rescued from total extermination by the Abbot and the Earl of Cassillis, who was at that time a zealous Catholic. On the 6th of July 1561, the Primate of Scotland had issued a Commission consisting of Thomas Hay, Abbot of Glenluce, John, Abbot of New Abbey, and two canons of Glasgow Cathedral, to confirm to the earl the office of Heritable Bailie of the Regality of Crosraguel,[2] which had been granted to him by the forethought of Abbot Quintin in 1559. The ceremony had been solemnly performed by the Commissioners in the church of Maybole on the 4th October 1562,[3]

[1] Mackenie's *Lives*, iii. p. 63. [2] Vol. i. pp. 130-6. [3] Vol. i. p. 132.

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in the presence of the Abbot and Convent at the time of High Mass; and three months before his death Abbot Quintin had followed the universal example then prevalent of leasing the whole benefice to the Earl for the annual payment of 700 marks.[1]

The monks fled in every direction on the devastation of the monastery. We find, however, that they gradually re-assembled, and in Crosraguel they continued to lead their regular life until at least 1592[2]—a later period, probably, than in any monastery in Scotland.

There was no Abbot for the first year after the death of Quintin Kennedy. On the 9th of October 1564 the Queen rewarded the literary talents of the celebrated George Buchanan by conferring on him under a Gift of Privy Seal a pension of five hundred pounds from the Abbey lands.[3] He also received the whole temporality of the Abbey, with the monastic buildings. The Earl of Cassillis had taken possession of the latter since the Abbot's decease, and Buchanan had to obtain letters from the Privy Council ordaining the Earl to surrender the "Place."[4]

On the 19th of July 1565 we have a gift of the Abbacy by Queen Mary to Allan Stewart,[5] brother to the Laird of Cardonald, in Renfrewshire, who was one of her staunchest adherents. Allan Stewart, though a man of good family and education, was totally unfitted to cope with the difficulties in which he found himself placed. Of a grasping and avaricious nature, and a character weak and vacillating, he took a continuous but inconsistent part in the fierce feuds which deso-

[1] Vol. i. pp. 137-8. [2] Vol. ii. p. 67. [3] Vol. i. pp. 139-40. [4] Vol. i. pp. 140-1.
[5] Vol. i. pp. 141-3.

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lated the shire of Ayr. He made the alienation of the vast landed possessions of the Abbey the main object of his life. We have a mass of charters, leases, and other documents signed by him, which are full of the greatest interest for the information they give us of the extent of the Abbey Regality, the different tenures of the various lands, the many forms of "reddendo," the ancient names and values of the farms in Carrick, the details regarding the fishing, the hunting, the woods, the coalpits, the mills of the monks, with their various occupations and pursuits. Allan Stewart should rightly be styled *Commendator,* as he was not of the Cluniac order, though a priest and master of arts. The gift of the Abbacy to him was a purely secular grant, and might with equal effect have been made to a layman *in commendam.* Yet he was duly confirmed to the Abbacy by the Archbishop of St. Andrews in his threefold capacity as Primate of Scotland, Legate *a latere,* and Superior of Crosraguel as Abbot of Paisley.[1] And in further ratification we have the Papal grant by Pius the Fifth in 1566.[2]

The instrument of Abbot Allan's canonical institution is a valuable document,[3] giving several references to the church and other buildings; while the loneliness of the place may be seen from the circumstance that none of the fraternity were present save Sir Michael Dewar, afterwards the Sub-Prior.

We now come to a long string of charters and leases signed by the Abbot in favour of James Stewart and the Earl of Cassillis.[4] Into the legal aspect of these transactions, or into

[1] Vol. i. pp. 143-6. [2] Vol. i. pp. 175-7. [3] Vol. i. pp. 136-40. [4] Nos. 85-90.

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the number of times that the Commendator contradicted himself in these indiscriminate grants of his property, it is unnecessary to enter. Their main interest centres in their historical value. Most of them are signed by the Abbot and four of the monks. They are not dated beyond 156–; and as they were in the Abbot's possession in 1570,[1] we may infer that James Stewart never received them.

In February 1566 the Earl of Cassillis, a man capable at times of courageous and heroic action, though possessed of a violent and impulsive temper, which led him into acts of great cruelty and oppression, obtained a lease of the Abbacy from the Queen and Henry Darnley, free from all rent.[2] This virtually annulled the grant of the previous year to Allan Stewart, and led to the complications which followed. Four parties were interested in the Abbacy—the Abbot, Cassillis, Buchanan, and the Laird of Cardonald. Buchanan, though he styled himself "Pensionarius de Crosraguel,"[3] had great difficulty in drawing his pension regularly; and in April 1568 he disposed of it "to Allan Stewart for the yearly payment of £500."[4] In the following January he assigned it to Cassillis, complaining that it had been "restand owand" to him for several years past.[5] By this assignation the earl agreed to pay him the sum of 980 marks. And in 1573 Buchanan finally sold his pension to the Laird of Bargany for the annual sum of £400.[6] He was glad to be freed from the burdens of collecting it, even at a considerable pecuniary loss. We do not

[1] Vol. ii. p. 12. [2] Vol. i. pp. 173-5. [3] *Reg. Epis. Brechinensis.*
[4] Vol. i. pp. 179-82. [5] Vol. ii. pp. 1-2. [6] Vol. ii. pp. 29-32.

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know that he ever resided at Crosraguel, though for many years he had the exclusive right to the possession of the buildings.

Allan Stewart began to get into bad odour with his neighbours about the year 1569. In that year he was put to the horn for the murder of certain gentlemen at Langside;[1] and Thomas Kennedy obtained letters of caption against him, and detained him in his mansion of Bargany.[2] The Abbot, however, secured his liberty by royal letters of relaxation in the January of 1570. He had previously granted many of the Abbey lands to the Lairds of Pennyglen and Brunston,[3] who had rendered him substantial aid against his many enemies in that lawless district. They had paid him large sums to be spent on the repair of the Abbey buildings; but the Abbot's avarice proved too strong for his intentions to restore them, for the repairs were never even commenced.

The climax of this unhappy man's misfortunes arrived in the autumn of 1570. The "Roasting of the Abbot" has been exaggerated by many writers. The original documents, comprising the Abbot's complaint to the Privy Council and Bannatyne's overdrawn account, are given in full for what they are worth.[4] The Earl took undeniably cruel and violent measures to compel the Abbot to ratify documents which he had previously signed, and which he now refused to acknowledge. But there is a vein of exaggeration pervading the whole story; and those who compare the signature of the

[1] Vol. i. p. 182. [2] *Ibid.* [3] Vol. i. p. 186, *seq.* [4] Vol. ii. pp. 2-9.

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"half-roasted hand"[1] with the same autograph of a slightly later date[2] will hardly detect a difference. It is of greater interest to notice how the whole of Carrick was stirred at the tyranny of the Earl. The siege of Dunure[3] and the release of the tortured prelate;[4] the summoning of Cassillis before the Privy Council in Edinburgh;[5] the sureties on the Earl's part never to molest the Abbot, under the penalty of two thousand pounds;[6] the annual payment by the Earl to the Abbot by way of solatium for his injuries,[7] on the latter surrendering to him the place, orchard, wood, and four-merk land of Crosraguel, with the key of the principal tower of the Abbey—all these are full of interest and characteristic of the time. The final pacification was effected by Lord Boyd, to the satisfaction of all parties concerned.[8] The Abbot surrendered to the Earl a number of charters of the Abbacy, his own provision to the Commendatorship, and "all other evidents that he had of the same," in return for 5100 marks—an enormous sum of money in those days. Owing to this agreement we have many of the Abbey charters preserved in the Culzean charter-chest, and since its date most of the landed property of the Abbey has remained with the Cassillis family.

The feuds which arose between Cassillis and the Laird of Bargany through the Abbot's imprisonment were partially pacified by a decree of the Privy Council in 1572.[9] Bargany had held the Castle of Dunure, where the unfortunate Allan

[1] Vol. i. p. 173. [2] Vol. ii. p. 55. [3] Vol. ii. pp. 7-8. [4] Vol. ii. p. 9.
[5] Vol. ii. p. 7. [6] Vol. ii. p. 8. [7] Vol. ii. pp. 9-10. [8] Vol. ii. pp. 11-15.
[9] Vol. ii. pp. 21-3.

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had been "roasted," until April in 1571, when the Earl was relaxed from his horning; and in 1572 the Council passed a special Act thanking him for his dutiful service. In the following July we have a letter from the Regent to Cassillis, bidding him come at once to Leith, and to bring some money to satisfy Buchanan's pension.[1] The poet-historian had been clamouring in vain for payment.

Amongst the other deeds of this period we find a renunciation by the Laird of Bargany of all right to the Abbey lands,[2] and a writ by James Stewart to the same effect.[3] The Earl was therefore at this time sole proprietor of the regality. We have also some further charters by the Abbot to him, in return for large sums of money,[4] with a lease or assedation of the Manor Place.[5]

Allan Stewart was, in fact, ready to dispose of the last shred of his property to the most willing buyer. John Kennedy of Pennyglen,[6] the Lairds of Baltersan,[7] Balserroch,[8] and others, all received charters from what had formerly been one of the most extensive ecclesiastical territories in Scotland. These numerous alienations had one peculiar result — that when the Act of Annexation was passed in 1587,[9] there was nothing at Crosraguel left to annex except the buildings of the monastery.

Allan Stewart died in the autumn of 1587. He had spent most of his life at Crosraguel, drawing up deeds for the disposal

[1] Vol. ii. pp. 26-7. [2] Vol. ii. pp. 32-5. [3] *Culzean Muniments.* [4] Vol. ii. pp. 35-56.
[5] Vol. ii. p. 42. [6] Vol. ii. pp. 43-6. [7] Vol. ii. pp. 46-8. [8] Vol. ii. pp. 57-8.
[9] *Acta Parl. Scot.*

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of the Abbey lands, and his leisure hours in partaking in the many feuds which at that time desolated the country. He took little interest in affairs of State. He was twice present in Parliament at the close of his life—in October 1579 and July 1582.[1] His visits to the metropolis were principally connected with the various lawsuits in which he was embroiled. It is marvellous that so weak a man could have kept his monastery together in an age of tumult; but the fact remains that the monks of Crosraguel were leading as regular and holy a life in the year of their Abbot's death as in the days of Abbot Patrick. One of their number was actually censured by the General Assembly in 1587[2] for profaning the Sacraments. An interesting episode in the same year was the capture of Lord Maxwell at the Abbey gate, after he had raised the standard of revolt as a loyal Catholic upon the execution of his Queen.[3]

§ 8. *The later History of the Abbey.*—1587-1650.

The death of Abbot Allan and the Act of Annexation took place in the same year. King James had thus an important benefice in his gift, and he decided to confer the Commendatorship of Crosraguel upon John Vaus, eldest son of Sir Patrick Vaus of Barnbarroch.[4] Sir Patrick had rendered yeoman service to the Court in going to Denmark as Special Ambassador, and also as Senator of the College of Justice.[5] The gift of the Abbacy to his son was thus a signal

[1] *Acta Parl. Scot.*, vol. iii. pp. 127, 427. [2] Vol. ii. p. 58. [3] Vol. ii. pp. 59-60.
[4] Vol. ii. pp. 61-3. [5] V. Mr. Vans Agnew's *Correspondence of Sir Patrick Vaus*, passim.

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mark of royal favour. Sir Patrick had considerable trouble in collecting the rents of his benefice,—or rather the feu-duties, as most of the lands had been already disponed to Cassillis.[1] We have a notice of the "poor men in the Abbey yairds," in 1589,[2] which alludes to the aged retainers of the Abbey who had been pensioned off; and a very remarkable reference to the "monks" who were still in residence at Crosraguel in 1592.[3]

In that year Sir Andrew Melvill of Garvok, who had been Master of the Household to Queen Mary, and had accompanied his unhappy sovereign to the scaffold, received a ratification of a yearly pension of 400 marks and 8 chalders of oats from the Abbacy. This was afterwards confirmed to him by Act of Parliament in 1597.[4]

Sir John Vaus had a comparatively brief tenure of the Manor Place of Crosraguel. In 1603 he received a note from the King, requesting him to sign a demission of the place and monastery in favour of his "darrest sone" Prince Henry, without prejudice, however, to his rights to the rents and duties of the Abbacy.[5] King James intended to have it restored as a future residence for the young Prince, but there is no historical evidence that Prince Henry ever actually lived there. Sir John resigned or sold the Commendatorship shortly after this demission, for in 1616 one Peter Hewatt was installed in the Abbacy.[6]

Mr. Hewatt, who has been described as "a man fit for

[1] By several charters, *supra*. [2] Vol. ii. p. 64. [3] Vol. ii. p. 67.
[4] Vol. ii. pp. 66-8. [5] Vol. ii. p. 69. [6] Vol. ii. p. 72.

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making trubles,"[1] enjoyed the profits of Crosraguel for at least thirty years. He was Commissioner of State in 1617,[2] and in the same year he convened the church vassals of the Abbacy for the payment of a national tax.[3] On the 28th of June an Act was passed annexing the whole benefice of Crosraguel, both spirituality and temporality, to the Bishopric of Dumblane;[4] the emoluments of which were at that time insufficient to support a bishop. The vested interests of the Abbacy were, however, secured to Mr. Hewatt, who was granted his own liferent, with all the other duties belonging to the Abbey lands. He also secured a ratification of the teinds of the new church of Ballantrae,[5] which had just been erected at considerable cost by the Laird of Bargany. The annexation of the Abbacy of Crosraguel to the Bishopric of Dumblane was ratified by the Parliament of 1633,[6] and eight years later a special Act was passed in favour of Peter Hewatt, the Commendator.[7] By virtue of this, Mr. Hewatt was, in consideration of his advanced age and his inability to support himself and his family, confirmed in the rent of the Abbacy during his life; with the additional proviso that his family should enjoy it for nineteen years after his decease. He had meanwhile been a minister in Edinburgh, but lost his living there in the religious turmoil at the metropolis during the early part of the seventeenth century, when he had even suffered imprisonment. He died in 1650.[8]

The revenues of Crosraguel were therefore enjoyed by the

[1] Vol. ii. p. 72 (note). [2] *Acta Parl. Scot.*, vol. iv. p. 523. [3] *Ibid.*, p. 583.
[4] Vol. ii. pp. 71-4. [5] Vol. ii. pp. 70-1. [6] Vol. ii. pp. 75-6.
[7] Vol. ii. pp. 76-8. [8] Sprott's *Liturgus*.

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Bishop of Dumblane for a few years. On the final overthrow of Episcopacy in 1689,[1] all that remained of them, consisting of a small property in land, and the patronage of the five churches of Straiton, Ballantrae, Dailly, Kirkoswald, and Girvan, were annexed to the Crown, together with the buildings and "precincts" of the Abbey. Since the recent Act of Parliament abolishing Church patronage, the sole relic of the great Regality of Crosraguel is the small plot of ground, enclosing the ruins of what was one of the simplest, yet one of the most beautiful, specimens of Gothic architecture in Scotland. Within its walls the royal Bruces had attended the ministrations of Holy Church. Through three and a half centuries of the dark ages of Scottish history it had nurtured generations of pious and learned men in a part of the country where the sword was ever more in fashion than the pen. There are many breaks in the chain of continuous events. Yet in bringing these memorials of the Abbey's history to a close, the Editor would gladly hope that they may be still connected by those who in time coming may complete the story of Crosraguel.

II.—The Regality of the Abbey.

The territorial estates of the Abbots of Crosraguel were of the largest extent. The greater part of Carrick, or Ayrshire south of the Doon, owed allegiance to them; and from Elsberry Head to Ballantrae, and inland to the parish church of Straiton and the mountainous district which borders upon Kirkcudbrightshire, were to be found at one time lairds, yeomen, and

[1] *Acta Parl. Scot.*

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farmers, subject to the royal power with which the monks were invested. The Regality of Crosraguel extended over eight of the parishes of Carrick—Girvan, Dailly, Straiton, Ballantrae, Kirkoswald, Maybole, Kirkmichael, and Barr—the last being in mediæval times represented by the Chapel of Kirkdominie or Kirkdamdie. Over the first five of these churches the monks enjoyed exclusive rights.[1] Their property was divided into two separate portions; (1) the *temporality*, or the revenue derived from lands and other secular sources;[2] (2) the *spirituality*, consisting of the teinds and other emoluments accruing from the ecclesiastical dues of parish churches.[3] The teinds were again subdivided into the teind sheaves, or the *decimæ garbales*,[4] consisting of the tenth sheaf taken from every harvest field; and the vicarial teinds, or *decimæ fœni*, of which hay was the principal feature, and which was gathered with the yearly tithes of stock, lambs, calves, and other produce. This subdivision of Church property in early times was well exemplified in the case of Crosraguel. Of the five churches belonging to the Abbey, over which they could exercise their right of patronage, the monks appointed a vicar, who enjoyed the lesser teinds, to Girvan,[5] Ballantrae,[6] and Straiton;[7] while they appropriated to themselves all the revenues of Dailly and Kirkoswald, and appointed a chaplain to serve the cure at those churches.[8] The rectorial or greater teinds were in all cases enjoyed by the Abbot as *parson impersonee*.

[1] Vol. i. pp. 3-12, 37-40, 97, 117, 123, 126, 140, 156.
[2] Vol. i. pp. 140-1, 150, 180, 184.
[3] *Ibid.*, pp. 140-1, 150, 184.
[4] Vol. i. pp. 57, 156, 166; vol. ii. p. 11.
[5] Vol. i. pp. 49, 52, 156.
[6] Vol. ii. p. 70.
[7] Vol. i. pp. 52, 117.
[8] Vol. i. pp. 94, 156.

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The accompanying map will give a fair idea of the extent of the Regality of the Abbey; and the following are among the principal places mentioned in these charters as being included in it. The names will be recognised by those to whom the locality is familiar.

Auchenaicht
Auchennaddie
Auchentrunnocht
Easter Auchinblane
Auchtinnaik
Abbotshill
Ailsa Craig
Altichappell
Balchristen
Balserroch
Baltersan
Balkennay
Broadmeadow
Brunstoun
Crosraguel
Caldwellstoun
Chalmerstoun
Chapel Donnan
Chlachrybeg
Chlauchries Keyoch
Clenacketh
Clonlicht
Craigoth
Corale
Crosraguel Mains
Dalchorane
Dalelong
Dalquharran
Dunmurthy
Drumbane
Drumcaldilthey
Drumgarloch
Drumgorlan
Dungrelach
Drummorchy
Drummunthey
Drumrachney
Drumfern
Easter Duneyn
Wester Duneyn
Dumkeynen
Dunnefyne
Frisselton
Glenord
Glenlowie
Hackethinvach
Karnestoun
Kirkdin
Knockgarron
Knockbrek
Knockin
Knockranald
Littlestoun
Leffynen
Lady Row's Meadow
Lokistoun
M'Cubenstoun
M'Caythriestoun
M'Gowenstoun
M'Kinniestoun
M'Morriestoun
M'Stephastoun
Maltmansland
Maltmanstoun
Maxwellstoun
Mochrum Hill
Mossyde
Quarrelhill
Riddinrid
Slabraicht
Smethistoun
Snade
Straitoun
Southblane
Trudonag
Trave
Yellowlie

These lands all differed in their annual rental, in their mode of cultivation, and in their natural fertility. The most valuable were the farms on the banks of the Girvan and the Doon; the poorest were the moorland hills in the parish of Straiton and round the Chapel of Kirkdamdie. They varied again, from

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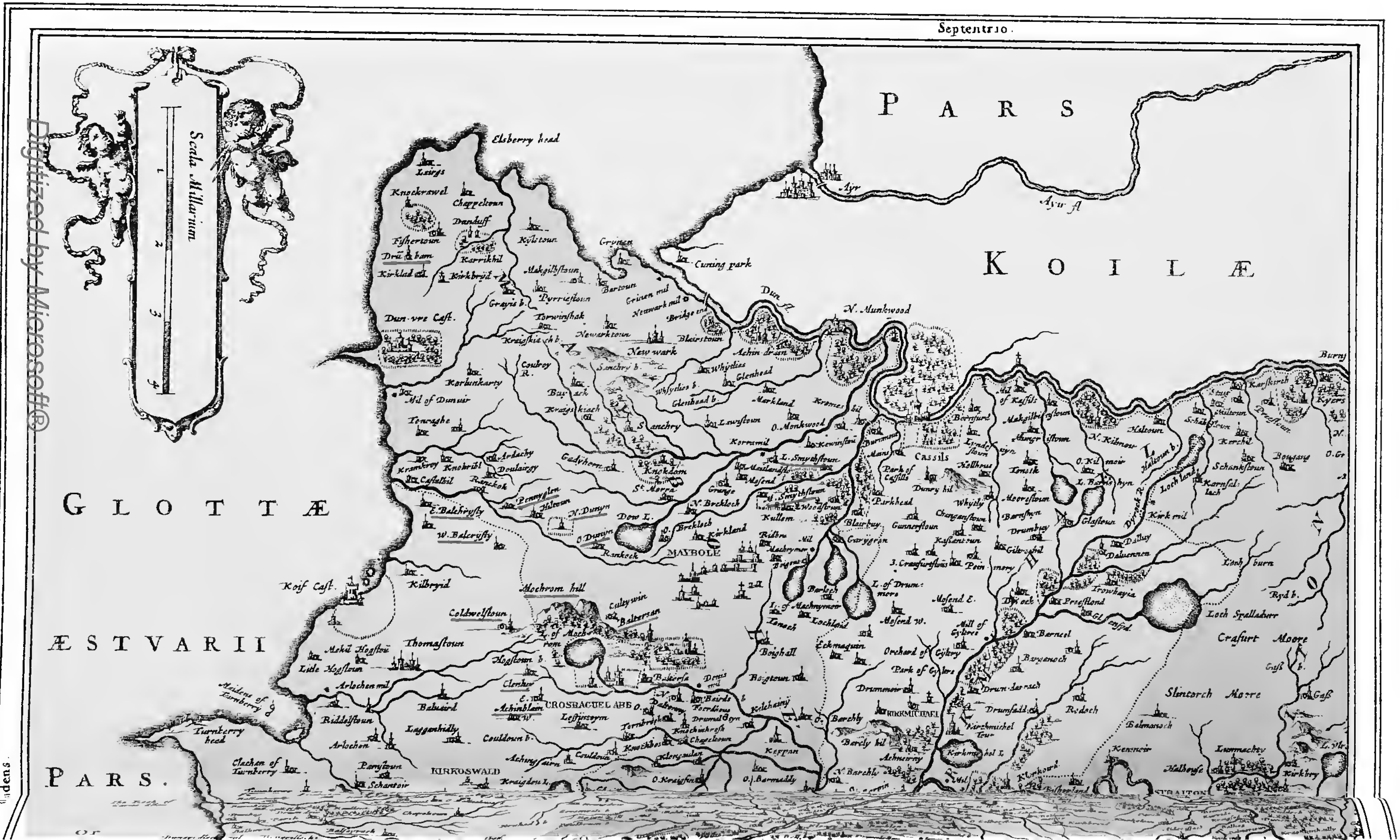
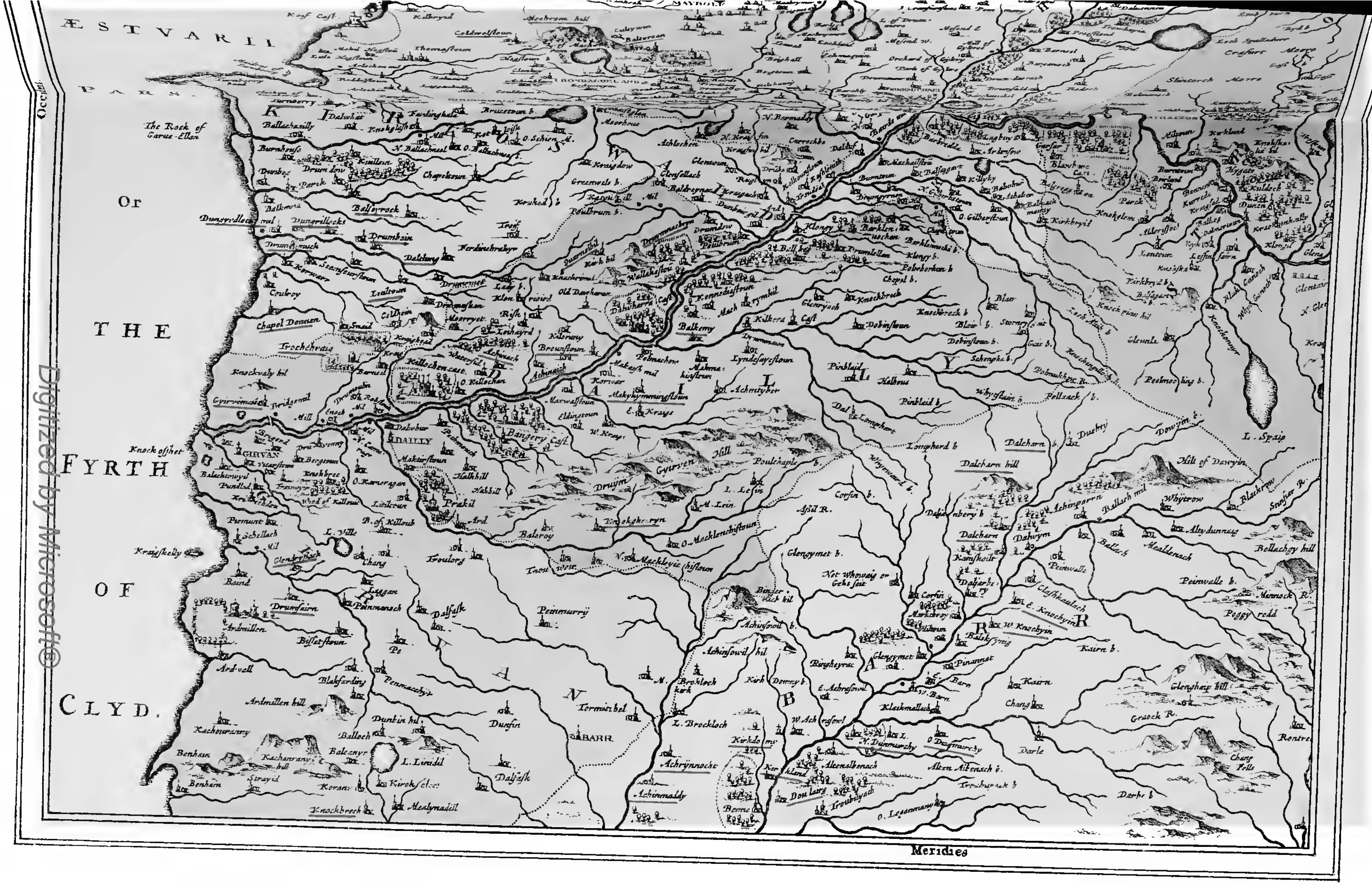


Septentrio.
PARS
KOILÆ
GLOTTÆ
ÆSTVARII
PARS.
Scala Millarium
1
2
3
4
Ayr
Ayr fl.
Elsberry head
Cuning park
Dun fl.
N. Munkwood
Knockrawel
Cheppeltoun
Kylstoun
Grynen
Bartoun
New wark
Blairstoun
Newarktoun
Achin drain
Glenhead
Markland
O. Monkwood
Dun-vre Cast.
Mil of Dunuir
Tonraghe
Korbunkarty
Knokdam
St. Morra
Grange
MAYBOLE
Kirkland
Dow L.
Cassils
Park of Cassils
Parkhead
Dunry hil
Kolhrus
Blairbuy
Glasfoun
Dalluy
Trowhayia
Proesflond
Loch Spallader
Crafurt Moore
Slintarch Moore
Balmanoch
Redoch
Loch burn
Ryd b.
Kirk mil
Koif Cast.
Kilbryid
Mochrom hill
Coldwelstoun
Thomastoun
Little Hogstoun
Arlochen mil
Maidens of Turnberry
Turnberry head
Riddelstoun
Arlochen
Clachen of Turnberry
Baluaird
Laggenhidly
Couldoun b.
KIRKOSWALD
CROSRAGUEL ABB
Leffiristorym
Knockbreck
Boighall
Bogtoun
Drummoir
KIRKMICHAEL
Barclly hil
Achmering
Kirkmichel Tour
Keppan
O. Barmaddy
Eckmaquin
Orchard of Gylery
Park of Gylery
Drumfadd
Barneol
Bargenoch
Kennoir
Malbosse
Lummachty
Kirkbry
STRAITON
Burny
Karsbirch
Kyers
Schankstoun
Haltoun
N. Kilmor
Karnsal lach
Bougang



THE REGALITY OF CROSRAGUEL.

AYR & GALLOWAY ARCH[L] ASSOC[N]

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the pennylands of Crosraguel and Southblane to the sixteen-merk lands and the forty-shilling lands of old extent, such as Duneyn, Knockgarron, and Lokistoun. Into the vexed question of the origin and meaning of these valuations we need not enter. Suffice it to say that the best authorities agree that the amount expressed something like $1\frac{1}{4}$ per cent of their real value at the time of the Reformation.[1]

In the absence of the Chartulary or any Rental book we have to glean all the details regarding the management of these vast landed estates from the charters themselves. The monks were excellent farmers and good landlords. Their tenants were free from all military service, and had thus more leisure for agriculture and gentle pursuits than their neighbours, who held of the great barons of Cassillis, Blairquhan, and Culzean, and who, as vassals, were liable at the shortest notice to be summoned to arms. The tenantry of Crosraguel consisted of the *cottars*,[2] who occupied a croft and paid a small rent for it; and the *farmers*, who paid it chiefly in grain.[3] A third class of vassals were the yeomen or small lairds of such places as Knockgarron,[4] Pennyglen,[5] Balserroch,[6] or Clonlicht,[7] who held land in the regality, and were thus subject to the authority of the Abbot. An incident of their tenure was their annual attendance at the court held by him on the lands of Auchinblane,[8] where they were with the other tenantry to renew every year their allegiance to their feudal superior.

[1] V. Cosmo Innes's *Antiquities*, and Mr. Vans Agnew's *Life of Sir Patrick Waus.*

[2] Vol. i. p. 120. [3] Vol. i. p. 120; vol. ii. pp. 64-5.

[4] Vol. i. pp. 48-56, 71-6. [5] Vol. ii. pp. 43-6.

[6] Vol. i. p. 189. [7] Vol. i. p. 178. [8] Vol. i. pp. 51, 192, 197.

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Some of the "feu-duties" or "feu-mails" due to the Abbey from those to whom lands were granted, are worthy of record. Thus, for a ten-merk land of old extent, the reddendo was 36 bolls bere, 2 dozen and 2 capons;[1] for a four-merk land, 80 bolls horse corn;[2] for the merk land of Straiton, £3 : 6 : 8; and 12 capons,[3] or sometimes 12 moor-fowl;[4] for the salmon-fishings at the mouth of the Girvan, 3 dozen salted salmon between the feasts of the Nativity and Purification;[5] for the whole fishing of the river, 180 salmon a year.[6]

The fishings in the Water of Girvan were thus a valuable property. The monks do not appear to have had any right to those on the Doon or the Stinchar; nor had they any fish-ponds in the immediate proximity of the Abbey itself.

Other sources of large revenue to the monks were the mills, the coalpits, and the woods. Their two mills are the subject of constant allusion in these charters. One stood on the stream which still flows past the gateway;[7] the other at Drumgarloch, about two miles distant, on the sea.[8] To one or other of these mills all the tenants were bound, and we have frequent notices of the *multures,* or the grain paid the miller;[9] the *sucken*;[10] and the *sequels,* or petty dues.[11] The tenants were all termed *suckeners,* and are spoken of as being *thirled* to the mills.

The monks were from the earliest times diligent workers of the coalpits at Yellowlee and other places in the neighbourhood;[12] and the "coal-heughes"[13] and "coal-pottis"[14] are

[1] Vol. ii. p. 41. [2] Vol. ii. p. 41. [3] Vol. ii. p. 41. [4] Vol. i. p. 161.
[5] Vol. ii. p. 41. [6] Vol. i. p. 136. [7] Vol. i. pp. 154, 171; vol. ii. p. 18.
[8] Vol. i. pp. 154, 166, 171. [9] Vol. i. pp. 166, 171, 192. [10] Vol. i. p. 171.
[11] Vol. i. pp. 166, 192. [12] Vol. i. p. 154. [13] Vol. i. pp. 154, 166, 195. [14] Vol. i. p. 195.

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enumerated in several of the charters. We do not find that they were actually worked before the sixteenth century in Carrick, though in other parts of Scotland coal was a source of wealth so far back as the thirteenth.[1] The wood was another valuable pertinent of the Abbacy. In early times the country round the monastery consisted of one large forest, and we have frequent reference to the woods and *wood hag*,[2] or annual wood cutting, the benefits of which were enjoyed by the monks. They had also "brewlands"[3] and "brewhouses"[4] near the Abbey, and appear to have emulated the legendary example of their brethren of Failfurd in brewing good ale. Over the vassals in their Regality the monks could exercise an almost boundless jurisdiction. From the date of the great charter by Robert the Third in 1404 until the Reformation, the Abbots of Crosraguel were, from the extent of their possessions, the importance of their office, and the almost royal power with which they were invested, the greatest personages in all Ayrshire; and no history of the county could be complete which failed to recognise the civilising and controlling force of the Regality. We have seen how the third Earl of Cassillis was appointed Heritable Bailie of the Abbey by one of the Abbots in 1562.[5] This office, with all its lucrative adjuncts, descended in the Cassillis family until the passing of the Act abolishing heritable jurisdictions in 1747. The Earl of Cassillis of that day claimed £12,100 as compensation for the loss of income from their abolition, including £1000 for the Lordship of the

[1] V. Mr. Cochran-Patrick's *Records of Mining in Scotland*, p. 1.
[2] Vol. i. p. 195. [3] Vol. i. p. 195. [4] Vol. i. p. 195. [5] Vol. i. p. 132.

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Regality of Crosraguel, and was awarded £1800 by the Parliamentary Commissioners.[1]

III. The Conventual Seal.

The Common Seal of Crosraguel was singular in retaining the same impression throughout the existence of the monastery, though the matrix was replaced once or twice. The design was a rich one, of delicate workmanship, displaying a figure of the Virgin with the Infant Jesus in her arms, sitting within a richly panoplied niche. The background is diapered, and in the base there is a group of four monks praying. The circumscription is :—

SIGILL'V : BEATE MARIE DE CROSREGMEL.

It was a single seal, without the reverse impression found in other cases. The earliest impression preserved is attached to

a charter (No. 13) dated about 1360, from the *Culzean Muniments,* an engraving of which is given here.

[1] Parliamentary Paper in Reg. House, Edinburgh.

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The Conventual Seals attached to others of these charters so late as 1573 agree in every particular with this specimen, from which we may assume that the same matrix was in use so long as there were charters to sign and abbots to sign them.

An engraving is given in Laing's Catalogue[1] of another Crosraguel Seal, taken from a charter by the abbot and convent in 1546, from General Hutton's Collections. This is identical with the others; but we must notice that the allusion to the Crosraguel Seal appended to the citatory letter from Abbot John of Paisley in 1370,[2] gives a slightly different circumscription, namely: *Sigillum Abbatis Monasterii de Crosragmol.* This may, however, be only a clerical error. No instance occurs of a Crosraguel Abbot affixing his private seal to any letters or documents, as was frequently the case elsewhere.

Many of the other seals engraved are of exceptional interest; notably those of Malcolm de Carrick in 1370;[3] of James Stewart of Cardonald in 1571;[4] and of the Official General of the Diocese of Glasgow in 1500;[5] which are all in fine preservation, and characteristic of their different dates.

IV. Allusions to Crosraguel by Ancient Writers.

The following curious notices of the Abbey have been gleaned from some writers of the past and previous centuries. Mr. Abercrumbie, the Episcopal minister of Maybole at the close of the seventeenth century, thus alludes to it:[6]—

[1] *Supplemented Catalogue of Ancient Scottish Seals*, Plate xii. Fig. 8.

[2] Vol. i. p. 23. [3] Vol. i. p. 27. [4] Vol. ii. p. 21. [5] Vol. i. p. 61.

[6] *Description of Carrick*, in Pitcairn's *History*, p. 167.

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"In this countrey Religion has had the influence upon the people to dispose them to the founding and endowing many places for devotion; for though there be but one monasterie in all this country, viz. *Crossraguel*, within two myles of Mayboll, westward; which, besyd other revenue, enjoyed the tythes of these five parishes, viz. Kirkoswald, Dailie, Girvan, Ballantrae, and Straton; which enjoyed the jurisdiction of Regality within itselfe, to which all its vassals and tenants were answerable; yet were there also severall other pious foundations and dotations. There is the Munkland, ane 100 merkland of old extent, which is an appendage of the Abbacy of Melrose, and had a separate Jurisdiction of its owne, for ministring justice to all the vassals and tenants thereof. The Laird of Ardmillan, one of the vassals, was Heretable Bailie; and upon the parcelling of his fortune, was acquired by Kennedy of Grange."

. . . . . .

The parish of Ballantrae is of a great extent. Though the people be not numerous, the Clachan is pretty populous. The patron hereof is the King, and the Lord Bargany pretends mightily to it;[1] but upon examination it will be found to belong to the Abbacy of Crosseragwell.

. . . . . .

The parish of Daillie lyes in length east and west on both sides of Girvan; more populous than spacious. The patron hereof is the Bischop of Dumblain, in the right of the Abbacy of Crosseraguel.

. . . . . .

The parish of Kirkoswald is pretty populous, because of the coast syde whereof it consists, and is all the pleasure thereof; for the place of the churche's situation is very obscure and unpleasant, being 'twixt two hills at the end of a bogue and marish. The Patron hereof is the Bishop of Dumblain, in the right of the Abbacy of *Crosseragwell*. The fabrick of which abbey stands within the parish. The monks were of the Cistercian order. The situation thereof is no ways pleasant. The fabrick of the church is entire, without a roofe. Much of the building is demolished, yet there be two towers still standing entyre in ther walls. It stands about midway 'twixt Mayboll and Kirkoswald. The houses of the gentry residing in this parish are The Cove, Thomastowne, Beltersan, and Balsarach, and Thrave. The two last are obscure countrey dwellings; but Beltersan is a stately, fyne house, with gardens, orchards, parks, and woods about it; lying from Mayboll about ane myle's distance."

The following is an amusing version of the foundation of the abbey from an old Advocates' Library MS.[2]—

[1] Cf. vol. ii. p. 70.

[2] *Description of Carrick*, from Pitcairn, p. 184.

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"Nixt Galloway lyis Carrick; the name fra king Carrataik, quha buildit of auld ane towne thairin; the quhilk wes efter his name callit Carrik. Sum thinkis that this cuntry wes nemmit this way efter the Queine Carramantis; quha remaynit in the sam pairtt, efter the death of her husband Eugeneus, quha wes bureyit quhair now the Abbay of Corsragwell stands; quhilk scho builditt, for luiff of hir husband."

And we have the following from an ancient description of Carrick from Sir James Balfour's Collections.[1]—

"Two monasteries are seatted in this Prouince; Corsreguall, sometyme a Cell of the Abbey of Paisley, founded by Duncane Mack-oneill, Earle of Carrike *in anno salutis* 1246; and the College of Maybole, founded by Sir Gilbert Kennedy, Laird of Dunure, for a buriall-plaice.

AILLSEY INSULA.[2]

"In this Iylland there is the ruines of ane old Castell and Chapell,[3] possest by the Earls of Cassillis, quo holds the same of the Abbey of Corsreguall. It is not much above a myle in circumference, being one hard and solide rocke, having one its tope a fontaine of cristaline vatter."

Bishop Lesley[4] has but one reference to Crosraguel:—

"Supra Galdiam Siluria est, gens olim ut et nunc bellicosissima, quam Tacitus scribit Romanis ipsis infestam atque rebellem semper fuisse. Ejus partes tres numerantur, Caricta situ primo, deinde Kyla, cui adjacet Cunninghamia; in his tribus, sicut et in Cludisdalia superiore et inferiore illis promissis magna est et nobilium et populi seges: Comites, Reguli (quos Milords dicimus) Equites, Barones, Nobilesque alii plurimi. Carictam a Carictonia numerosissima quondam illi civitate dictam putant: arces multæ splendidæ, arte naturaque munitæ: pagi frequentes sed multo frequentiores (ut ubique apud nos) villæ: agrorum fecunditas his omnibus fere par: pascua uberrima, unde casei optimi, et butyri magna copia: triticum rarius; cresceret tamen felicissimè plurimis in locis, si sibi quæstini existimantes futurum in id incumberent agricolæ. Littora ubique pisculenta ut et fluvii, lacus, et amnes: sylvæ raræ; in utraque tamen Cludisdalia frequentiores: monasteria rariora: habet tamen Caricta monasterium Crucis Regalis."

[1] V. Pitcairn's *History*, p. 186.
[2] *Ibid.*, p. 189.
[3] V. Vol. i. p. 38 (note).
[4] *De Rebus Gestis*, p. 9.

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V. The Etymology of "Crosraguel."

The origin of the name remains buried in obscurity. It appears in these charters under no less than forty-one different forms, the most frequent being Crosraguel, Crossraguel, Crossragwell, Corsragwell, Croceregual, Corsregal, Corsragal, Crosragmer, Crosragmol, Crucis Regalis, Corsragull, Croceragwell, and Crosragin. From so varied a medley of readings it is difficult to extract a satisfactory derivation; but it is something to know that the greatest etymologists of our day have agreed in demolishing the hitherto accepted theory that it signifies "Cross-royal." Upholders of this derivation have pointed with great plausibility to the church of the parish, which is dedicated to S. Oswald, the Northumbrian martyr-king; and they maintain that a cross was erected at this spot after his death. They also ingeniously compare "Cros-oswalde," the Welsh form of Oswestry or Oswald's tree, where he was buried. This is sheer guess work.

The oldest known form of the name is "Crosragmol," in the Bull by Honorius III. to the Abbey of Paisley in 1225.[1] Again it appears under that form in the *Scriptum of Crosraguel* in 1244,[2] and again in 1265.[3] In 1286 we have "Crosragal,"[4] and the letter of Henry de Percy is dated from "Crosraguel" in 1306.[5] In the charters of Robert the First "Crosragmer" appears,[6] from which time onwards we find every variety of spelling. But not until 1547-8, in a discharge by

[1] Vol. i. p. 1. [2] Vol. i. p. 3. [3] Vol. i. p. 6. [4] Vol. i. p. 12.
[5] Vol. i. p. 14. [6] Vol. i. pp. 16-17.

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Abbot Quintin to the Earl of Cassillis, do we find the Latinized form "Crucis Regalis,"[1] which is a purely arbitrary derivation of the name. It was the fashion at that period to give high-sounding Latin names in place of the old Saxon or Celtic; *Vallis Lucis* being another case in question. What "Glenluce" meant is hard to say; but it certainly had nothing to do with a "vale of light." After 1565 the form "Crucis Regalis" is almost invariably given by the scribes in the Latin Charters, and has led to the popular interpretation.

Professor Skeat, in a communication to the Editor, says that it is clear that "Crossraguel" cannot mean "Crossregal" or "Crux Reguli." While suggesting that it is a question for a Celtic scholar, he mentions the Gaelic *reachdmhor*, "fine," or "beautiful." In corroboration of this the minister of Glassford in Lanarkshire mentions a farm of Hiecorseknowe in his parish, the ancient name being Crossraguel.

Professor Rhys, of Jesus College, Oxford, writes: "'Cross Raguel' would seem to construe as a Celtic name, meaning 'Raguel,' which I have searched for in vain. The form 'Ragmer' might be explained in Welsh by supposing it to be the same as 'Rhagfyr,' 'December,' which is supposed to mean 'foreshortened.' I may also mention 'rhagwel,' a look in advance." From the extensive view which the Abbey commands over the surrounding country, this last might be tenable.

Lastly, Professor Donald Mackinnon, of Edinburgh, writes: "'Raguel' ('ragmol,' 'ragmer'), from its position may be either an adjective qualifying 'cross,' or a proper name. I do not

[1] Vol. i. p. 103.

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know any Gaelic adjective that would represent 'Ragmol.' 'Regal' certainly would not . . . and I am nearly as certain that 'reachdmhor' cannot represent 'ragmol' . . . I am strongly inclined to consider it a proper name. Very rarely would a cross be described by an epithet, and all the Highland crosses were erected in memory of a person of note either for his piety or his power. But, besides, 'Ragmol' and 'Ragmer' are not Gaelic names that I know of. They look like Norse names." At this Mr. Vigfusson, of Oxford, has kindly suggested "Rognvald," the same as Ranald, Ronald, or Reginald; but this has also been questioned on etymological grounds.

After carefully sifting all the evidence, the Editor, without attempting to step in and explain where so many greater scholars have failed, is much disposed to regard the termination as the proper name of some hero, either Celtic or Scandinavian, who had fallen in battle near the spot. It seems impossible to identify the original form, and we might not be much the wiser if we knew it. Sir Herbert Maxwell has, just before going to press, given a valuable reference from the *Annals of the Four Masters,* under the year 743.[1] It runs as follows:—

Anarccac abb Muicinꝓi
Reʒuil, do baḋaḋh

i.e. "Arasgach, Abbot of Muicinis-Reagail (or Reguil) was drowned"; Muicinis-Reguil being the Hog island of S. Riaguil or Regulus. This would appear to be very strong evidence in favour of the derivation from Cross-Reguli, or the Cross of S.

[1] Vol. i. p. 344, ed. 1851.

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Regulus; but it must be a question for the etymologist of the future to decide.

VI. The Order of Cluny in Scotland.

The Cluniac order was founded in the year 940, when the Duc d'Aquitaine erected the Abbey of Cluny in Burgundy for a reformed order of Benedictine monks. The Duke Bernon and his brother Odo were the first Abbots. Their object was to perfect and renovate the order of S. Benedict, which had fallen into decay; and before long the Cluniacs became so celebrated that they fairly eclipsed the Benedictines. "In the twelfth century," writes Dr. Lees,[1] "they had nearly 2000 monasteries in allegiance to the Abbey of Cluny. It was the greatest of all abbatial churches, equal to Cologne in beauty, vaster than S. Peter's in magnificence; though three scanty fragments alone stand to attest the remains of what De Thou called the most beautiful monastery in Christendom. No bishop could intrude within the precincts of the monastery, or exercise any jurisdiction over it. At one time the Abbot of Cluny received £2000 from English Cluniac houses alone." The charters of the mother house are many thousand in number, and at the downfall of the monastery they were conveyed to the National Library at Paris, where they are now being edited by M. Bruel, the Archéviste Publique.

The Cluniacs were Benedictines according to the spirit of their Rule. Their chief peculiarities were:—Two solemn masses every day, and on private sacred days no labour was

[1] *Abbey of Paisley.*

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allowed except out of the hours of divine service. Every day each alternate choir offered their hosts. Communion extended to all three days before Easter. Constant silence was enforced in the daytime, and it was almost death to violate it before prime; hence we trace the use of signs among them. From the Ides of November the seniors attended meditation in the church; after matins the juniors studied singing in the Chapter. Manual labour was accompanied by a repetition of the Psalms. Strangers were not admitted after compline, nor was leave of refection granted to monks after that time, if absent from the common table. Their manual labour (says Udabrinus) was to shell unripe beans, to weed in the garden, and to bake bread in the bakehouse. They also differed from the Benedictine order proper in matters of ritual. They prepared the bread for Holy Communion differently,[1] washing the wheat carefully, and having the bread itself made by the priests. Their discipline was of the strictest nature, and one of their duties was to learn the Psalter by heart.[2]

Guyot de Provins,[3] in his satire on the different religious orders, thus speaks of the Cluniacs:—"When you want to sleep they wake you; when you wish to eat they make you fast. The night is spent in praying in the church, the day in labour. No repose is taken save in the refectory; and what is to be found there? Rotten eggs, beans with their pods on, liquor fit for oxen (*boisson des bœufs*). For the wine is so poor that one might drink of it for a month without intoxication."

[1] Mabillon's *Dict. des ordres Religieuses*, ii. 306.

[2] Maitland's *Dark Ages*, p. 336. [3] Quoted by Fosbrooke, *British Monachisms*, p. 107.

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And Brunellus alludes to their extreme asceticism in the same caustic vein :—[1]

"Esse niger monachus si forte velim Cluniaci,
Ova fabasque nigras cum sale sæpe dabunt.
Surgere me faciunt mediâ de nocte volentem
Amplius in calido membra fovere thoro;
Quodque magis nollem, vellent me psallere sursum,
Et geminare meos in diapente tonos."

Not many years after its institution the order relapsed greatly from its former severity, and Peter the famous Abbot of Cluny complained to the Pope that his brethren "despise God, and having passed all shame eat flesh all days of the week except Fridays; not only in secret but in public; and that one must beat the bushes for them with great multitudes of hunters, and chase pheasants and partridges and ringdoves, for fear the servants of God perish with hunger."[2]

Yet the order of Cluny remained great and powerful until the last century, when it succumbed to the violence of the French Revolution. One of the largest houses of the order in France was the Monastery of La Charité. Thence there came a colony of monks to the Abbey of Wenlock in Shropshire, which was among the earliest of the English Cluniac houses. And when Walter, the first Steward of Scotland, determined to erect a monastery of the order at Paisley, on the banks of the River Cart, it was to Wenlock that he sent for those who were first to lead the religious life in the new monastery. We have already seen how the Abbey of Crosraguel practically

[1] Maitland's *Dark Ages*, p. 294.

[2] Lib. vi. Ep. 7, from Emillianne's *History of the Monastical Orders*, p. 91.

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owed its existence to the mother house of Paisley; and we are thus enabled to trace its direct descent from the Abbey of Cluny through the Monasteries of La Charité, Wenlock, and Paisley. A Scottish monk differed in no respect from those resident in other monasteries of the same order; and the monks of Crosraguel would closely resemble their brethren in England or in France. The monastic habit was a black gown with large wide sleeves and a black cowl, over a white garment.

There were only two other monasteries of the order in Scotland, namely, at Renfrew and Iona; the latter being a development of the early Christian brotherhood established by S. Columba.

The following were the services in the Church of a Cluniac monastery:—Matins at 12 A.M.; Prime at 6; Tierce at 9; Sext at 12 P.M.; Nones at 2 or 3; Vespers at 4; Complines at 7. The brethren retired to rest at 9 o'clock.

The community of a large Cluniac Abbey would include the following:—The *Abbot,* whose power extended over the whole community; the *Prior,* whose office appears to have been delegated to a sub-prior at Crosraguel; the *Cellarer;* the *Precentor;* the *Kitchener;* the *Seneschal;* the *Sacrist;* the *Almoner;* the *Novice Master;* the *Porter;* the *Refectioner;* the *Chamberlain;* the *Monks;* the *Novices;* the *Lay brethren.*

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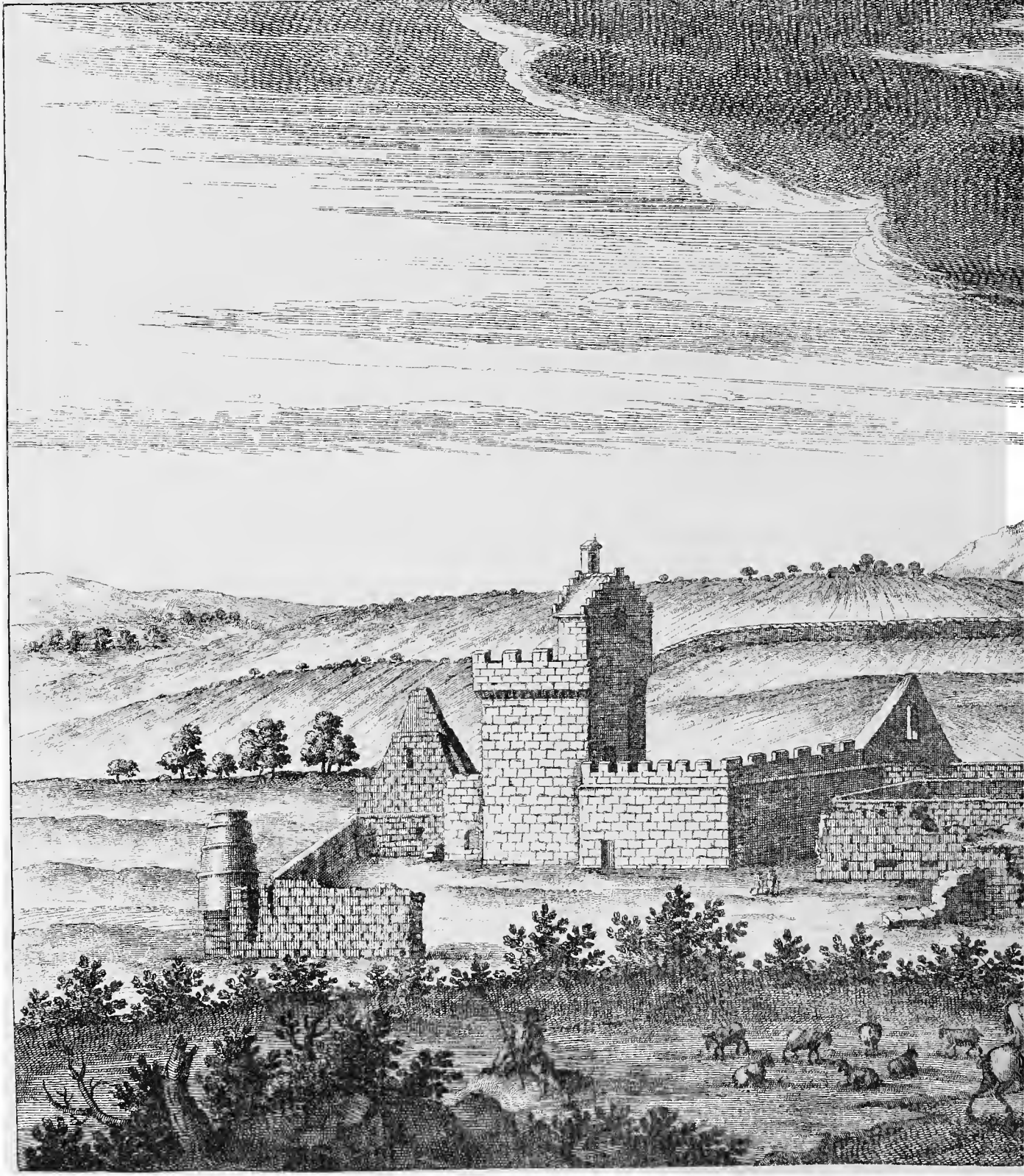

Ruidera Cœnobu de CORSREGAL seu crucis S^ti R

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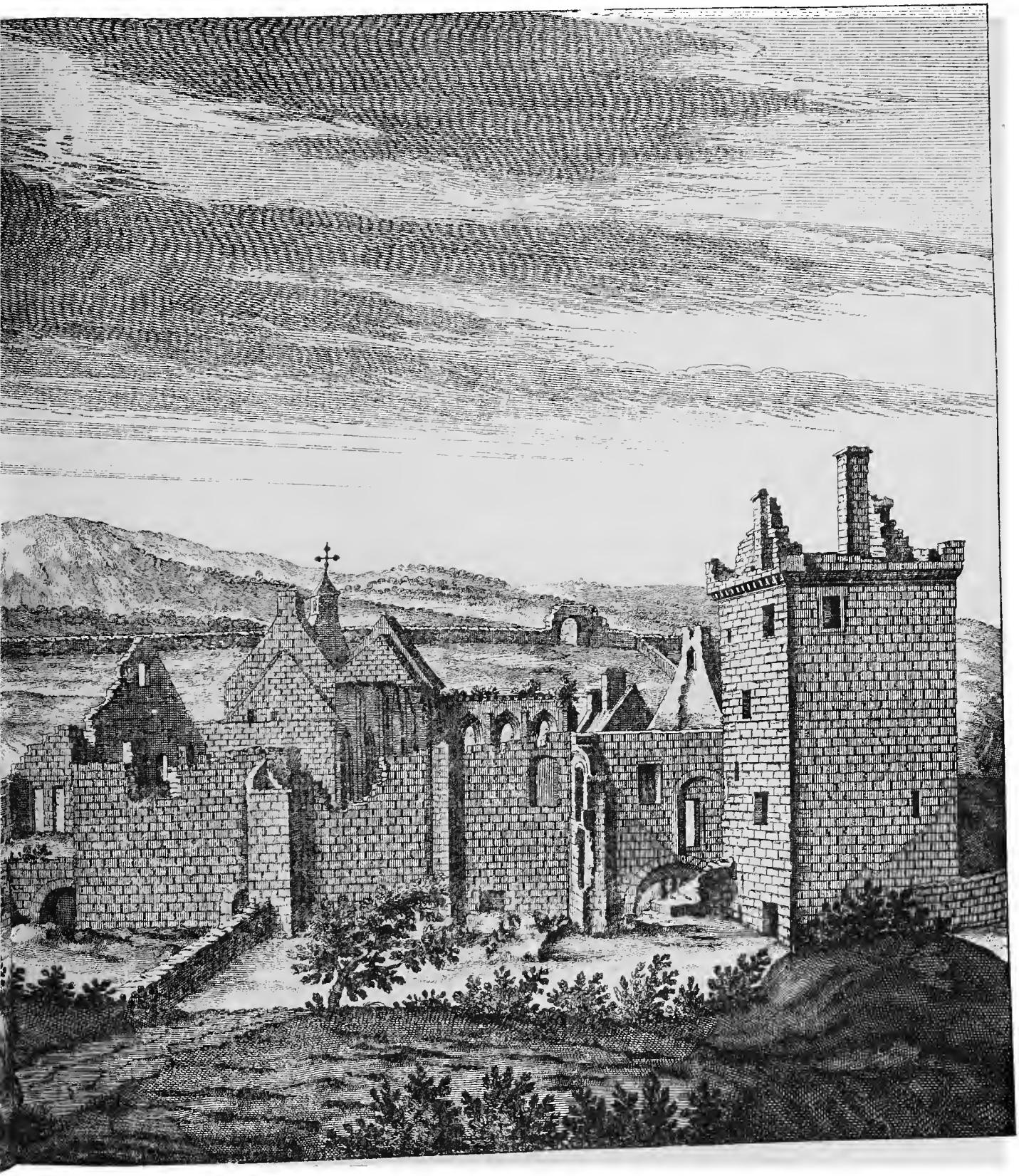

eguli The Ruines of ye Abby of CORSREGAL.

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CHARTERS

OF

THE ABBEY OF CROSRAGUEL.

1. *Bull of Honorius III., confirming to the Monks of Paisley the Lands of Crosragmol and Suthblane.*—[1225.][1]

Honorius[2] episcopus servus servorum Dei dilectis filiis Wilelmo[3] abbati monasterii sancti Jacobi apostoli et sancti Mirini confessoris de Passelet ejusque fratribus tam presentibus quam futuris regularem vitam professis imperpetuum. Religiosam vitam eligentibus apostolicum convenit presidium, ne forte cujusdam temeritatis incursus aut eos a proposito revocet, aut robur, quod absit, sacre religionis infringat. Eapropter dilecti in Domino filii vestris justis postulationibus clementer anuimus, et monasterium sancti Jacobi apostoli et sancti Mirini confessoris de Passelet in quo divino mancipati estis obsequio sub beati Petri et nostra protectione suscipimus et presentis scripti privilegio communimus: In primis siquidem statuentes ut ordo monasticus qui secundum Deum et beati Benedicti [regulam] atque institutionem Cluniacensium fratrum in eodem monasterio institutus esse dinoscitur, perpetuis ibidem temporibus inviolabiliter observetur. Preterea quascunque possessiones, quecunque bona idem monasterium impresentiarum juste ac canonice possidet aut infuturum, concessione pontificum, largitione regum vel principum, oblatione fidelium, seu aliis justis modis, prestante

[1] *Registrum Monasterii de Passelet*, pp. 411-12.

[2] Honorius III. was a special benefactor to Paisley, having issued the commission promoting it from a Priory to the dignity of an Abbey. —*Reg. de Passelet*, p. 8; Lees' *Paisley Abbey*, p. 58.

[3] William, the first *Abbot* of Paisley from 1225 until at least 1248, who obtained many Papal Bulls conferring special privileges on his Monastery.—*Reg. Mon. Passelet*, and Dr. Lees' *Abbey of Paisley*, pp. 60-63; v. also Dr. Gordon's *Monasticon*, p. 567.

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Domino, poterit adipisci, firma vobis vestrisque successoribus et illibata permaneant; in quibus hec propriis duximus exprimenda vocabulis:— . . . Ex dono nobilis viri Duncani comitis de Carreik totam terram de Crosragmol et Suthblan, cum pertinentiis suis . . .

ABSTRACT.

Bull by Pope Honorius III. to the Abbot and Convent of Paisley, confirming to them their sundry rights, privileges, and lands; amongst the latter, the whole land of Crosragmol and Suthblane, by the gift of Duncan,[1] Earl of Carrick. Dated 1225.

2. *Confirmatio Alexandri regis Scotie, de tribus ecclesiis de Karryc, videlicet de Tornbir', de Stratton', et de Dalmakeran, et de donatione denariate terre de Crosragmol, et de Sut'blan in Carrek.*—[*5th August* 1236.][2]

Alexander Dei gratia rex Scotorum omnibus probis hominibus totius terre sue salutem. Sciant presentes et futuri nos concessisse et hac carta nostra confirmasse donationem illam quam Duncanus filius Gilberti comes de Carrek fecit caritatis intuitu Deo et sancto Jacobo et sancto Mirino de Passelet et monachis ibidem Deo servientibus et imperpetuum servituris, de ecclesiis de Turnbere, de Straton et de Dalmakeran cum omnibus earundem justis pertinentiis; Et preterea de quinque denariatis terre de Crosragmol et de Sutblan, per rectas divisas suas: Tenendam et habendam eisdem monachis in liberam, puram et perpetuam elemosinam, ita libere, quiete, plenarie et honorifice sicut carta predicti Duncani inde plenius confecta eisdem monachis juste testatur, salvo servitio nostro. Testibus Alexandro episcopo Moraviensi, Philippo de Mubray, Rogero Avenel,[3] David Marscall',[4]

[1] The original gift of Earl Duncan is not preserved in the Paisley Register. Duncan, created first Earl of Carrick by Alexander II., succeeded his father Gilbert in the Carrick portion of Galloway in 1185. His deed must have been dated prior to 1202, as it was confirmed to the monks of Paisley by Florence, Bishop elect of Glasgow from 1202-1207.—Paterson's *Hist. of Ayrshire*, ii. pp. 1, 303-5; Gordon's *Scotichronicon*, ii. p. 477; *Reg. Epis. Glas.*, p. xxv.; *Chron. Aberbr.* For the conditions of the gift, v. No. 3.

[2] *Registrum Monasterii de Passelet*, p. 427.

[3] Son of Gervase Avenel, in Eskdale, died in 1243, and buried in Melrose Abbey.—*Chart. Melrose*, No. 97; *Chron. Mel.*, 207; *Chart. Arbroath*, No. 138.

[4] David de Keth, joint Mareschal with his nephew Hervei de Keth.—Rymer's *Fœd.*, i. 241; Astle's *MSS.*; *Diplom. Scotiæ*, No. 6; Chalmers' *Caledonia*, i. 519.

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Wilelmo de Lyndesay,[1] Wilelmo de Mar', Adam de Logan, apud Edinburg vicesimo quinto die Augusti, anno regni domini Regis xxii°.

ABSTRACT.

Charter by Alexander the second, King of Scots, whereby he grants and confirms the gift which Duncan, the son of Gilbert, Earl of Carrick, made to God and St. James and St. Mirin of Paisley, and the monks there serving God, and to serve for ever, of the churches of Turnberry,[2] Straiton,[3] and Dalmakeran,[4] with all their right pertinents; and also of the five penny land of Crosragmol and of Sutblan, by their right marches; to be held by the said monks in free, pure, and perpetual alms, as freely as the charter of the said Duncan bears; reserving the king's service. Witnesses: Alexander bishop of Moray, Philip of Mubray, Roger Avenel, David the Marischal, William of Lyndesay, William of Mar', Adam of Logan. At Edinburgh, 25th August, 22d year of king's reign [1236].

3. *Scriptum de Corsragmol.*—[15*th August* 1244.][5]

Vilelmus[6] permissione divina ecclesie Glasguensis minister omnibus Christi fidelibus tam presentibus quam futuris presentes litteras inspecturis vel audituris eternam in Domino salutem. Noverit universitas vestra quod cum inter nobilem virum Duncanum comitem de Karrec ex parte una et Abbatem et conventum de Passelet ex altera, super domo religiosa ordinis de Passelet in Carrik apud Corsragmol fundanda, et super bonis que dicti Abbas et monachi ex collatione predicti Comitis possederunt in Karrec,

[1] Lord of Lamberton, in Berwickshire.—*Chart. Newbotle*, No. 10; Chalmers, i. 508.

[2] *i.e.* S. Oswald of Turnberry, or Kirkoswald. In 1227 Walter, Bishop of Glasgow, decided that the vicar should have 100 shillings yearly if the altarage should not be sufficient.—*Chart. Lennox*, ii. 170; v. also Paterson's *Ayrshire*, p. 285. The old church was in use till 1777.

[3] S. Cuthbert of Straiton, the patronage of which was conferred by John de Carrick upon the Bishop of Glasgow. V. Chalmers, iii. 536, and *Chart. Glas.*, p. 225. (Value in 1275, £40 per annum; in 1562, £60.) It was, however, confirmed to and always held by the Abbey of Crosraguel from 1244 to 1617, when it was annexed to the Bishopric of Dumblane, with the other four churches. V. No. 56, *infra*.

[4] St. Michael of Dailly or Dalmakeran, the meadow of St. Keran, a Scoto-Irish Saint. Cf. *Kilkerran*, in Carrick and Cantyre. The name seems to have been changed early in the sixteenth century.

[5] *Registrum Monasterii de Passelet*, p. 424.

[6] William de Bondington, Bishop of Glasgow, 1233-1258, formerly Rector of Edelstone, a prebendary of Glasgow, and Chancellor to Alexander II.

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coram nobis questio moveretur, tandem partes se nostre ordinationi voluntate spontanea subjecerunt. Nos vero Deum habentes [pre]oculis, in favorem et augmentum religionis et ordinis, de unanimi consensu partium et assensu capituli Glasguensis, ordinavimus in hunc modum, Videlicet quod in predicto loco ad honorem Dei et beate Virginis Marie domus religionis construatur de monachis ordinis de Passelet, qui ibidem perpetuis temporibus habeant [habitent?], plenaria gaudeant libertate, et libere possint per electionem canonicam abbatem perficere qui ad monasticam vitam transire volentes libere possit ad monachalem habitum et professionem recipere et omnia facere que de jure pertinent ad abbatem; ita etiam quod dicta domus de Corsragmol a potestate et jurisdictione Abbatis et conventus de Passelet in omnibus sit exempta, nisi tantum in ordinis recognitione; quam sic duximus declarandam. Ut monachi de Corsragmol in ordine et habitu et aliis regularibus observantiis domui de Passelet penitus conformentur, et ut Abbas de Passelet qui pro tempore fuerit dictam domum de Corsragmol visitet[1] semel per annum cum moderata familia et sine expensarum gravamine; in qua visitatione si quid arduum vel grave invenerit corrigendum, ut maturius et consultius cuncta procedant, per nos et successores nostros una cum ipso visitatore canonice corrigatur. Ordinavimus etiam ut omnia dicta bona que aliquando in Karrec Abbas et conventus de Passelet possederunt in usus dicte domus de Corsragmol cedant perpetuo; Solvendo domui de Passelet decem marcas argenti annuatim ad Pentecosten. Et si aliquo tempore dicti Abbas et monachi de Passelet vel dictus Comes seu heredes sui vel Abbas et monachi de Corsragmol contra ordinationem nostram in aliquo venire voluerint, nos et successores nostri ipsos ad observationem omnium predictorum, de plano et absque strepitu judicii, monitione premissa, contravenientes per censuram ecclesiasticam compellamus. Ita quod eis non valeat quantum ad supradicta infirmanda aliquod impetratum vel impetrandum, vel aliquod juris canonici vel civilis remedium, vel aliquod privilegium ordinis Cluniacensis competens vel competiturum, vel specialiter beneficium restitutionis in integrum, vel aliquod statutum vel statuendum. Et in hujus rei testimonium nos et capitulum Glasguense et dictus Comes de Carrek presens scriptum sigillis[2] nostris roboravimus. Actum apud Glasgw quintodecimo Kalendas Augusti anno gratie M°CC°xliiii°.

[1] For an instance of this visitation, v. *infra*, No. 14.

[2] An engraving of this Bishop's seal is to be found in Gordon's *Monasticon*, p. 479, from the Melrose Charters.

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Translation.

Writ of Corsragmol.

William, by the permission of God minister of the Church of Glasgow, to all the faithful in Christ as well present as to come that shall see or hear these present letters, greeting in the Lord: Know all of you that when there was a question moved before us between a noble man Duncan Earl of Carrick[1] on the one part, and the Abbot and convent of Paisley on the other part, concerning a religious house of the order of Paisley in Carrick to be founded at Corsragmol, and concerning the property which the said Abbot and monks possessed in Carrick from the gift of the foresaid Earl, the parties at length of their own free will submitted themselves to our ordinance: Now we having God before our eyes, in favour of and for the increase of religion and order, with the unanimous consent of the parties and with the assent of the Chapter of Glasgow, have ordained after the manner following; to wit, that in the aforesaid place to the honour of God and the blessed Virgin Mary there shall be erected a religious house of monks of the order of Paisley, who shall dwell there in all times to come and enjoy full liberty, and may freely appoint by canonical election an Abbot, who may freely receive to the monastic habit and profession those wishing to pass into the monastic life, and may do all things which of right pertain to an Abbot to do; so also that the said house of Corsragmol may be exempt in all things from the power and jurisdiction of the Abbot and Convent of Paisley, save only in recognition of the order, which we think fit to be declared in this manner: That the monks of Corsragmol in order and habit and other regular observances shall wholly conform to the house of Paisley, and that the Abbot of Paisley who shall be for the time shall visit the said house of Corsragmol once a year with a moderate retinue and without heavy expense; in which visitation if he shall find anything hard or serious to be corrected, in order that all things may proceed with the more mature and advised deliberation, it shall be corrected canonically by

[1] Father Hay (*Scotia Sacra: MSS. in Advocates' Library, Edinburgh*) tells us, but without giving his authority for the statement, that Duncan even "ecclesiam et officinas monasticæ religioni competentes a primo fundamento erexit. Libros, vestimenta, et alia ordinis necessaria contulit Pasleto matri ecclesiæ, nondum nata filia, ut semel monachi cum abbate eo transmissi per se donationes acceptarent" (p. 277). If this be reliable, the building of the Church and Monastery must have been commenced between the date of this writ (1244) and 1250, the year of Earl Duncan's death.—*Reg. Ep. Glas.*

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us and our successors together with the said visitor: We ordain also that all the said property which the Abbot and convent of Paisley have possessed at any time in Carrick they shall yield for ever to the uses of the said house of Corsragmol, they paying to the house of Paisley ten merks silver[1] yearly at Whitsunday: And if at any time the said Abbot and monks of Paisley or the said Earl or his heirs or the Abbot and monks of Corsragmol wish in any thing to come in contrary of our ordinance, we and our successors may compel by ecclesiastical censure the contraveners to the performance of all the foresaids plainly and without strife of law, first giving them an admonition; also, that nothing shall be of avail to them in the way of impairing the above mentioned, either as an impetration made or to be made, or any remedy of canon or civil law, or any privilege competent or that shall be competent to the Cluniac order,[2] or specifically the benefit of restitution *in integrum*, or any statute present or to come: And in witness hereof we and the Chapter of Glasgow and the said Earl of Carrick have confirmed the present writ with our seals. Done at Glasgow on the 15 Kal. August (18th July) the year of grace 1244.[3]

4. *Contra Abbatem de Crosragmol.*—[6*th February and* 11*th June* 1265.][4]

Clemens episcopus servus servorum [Dei] venerabili fratri Episcopo Dunblanensi et dilectis filiis Abbati monasterii de Driburg,[5] Sanctiandree diocesis, et Magistro Rogero de Derby precentori ecclesie Aberdonensis, salutem et apostolicam benedictionem. Sua nobis dilecti filii Abbas et conventus monasterii de Passelet, Cluniacensis ordinis, Glasguensis diocesis, petitione monstrarunt quod cum quondam Duncanus comes de Karric jus patronatus ecclesie Sancti Oswaldi de Turnbery et quarundam aliarum ecclesiarum terras possessiones et alia bona et ipsum spectantium in Glasguensi diocesi eis intuitu pietatis in perpetuam elemosinam contulisset;

[1] For references to this annual payment, v. Nos. 23, 46, *infra*.

[2] V. Introduction.

[3] Thus Crosraguel was a genuine Abbey, and not a mere cell of Paisley, as it had been, and as Dalmulin continued to be.—V. *Reg. de Passelet*, p. 24; Lees, p. 56.

[4] *Registrum Monasterii de Passelet*, p. 422.

[5] This *John*, Abbot of Dryburgh, appears to have been celebrated as a peacemaker. He assisted at a compromise between the monks of Kelso and their tenants about 1246, and in the previous year at the settlement of the dispute between the Priory of St. Andrews and the Convent of Haddington regarding the teinds of Stephinston.—*Reg. Prior. S. Andreæ*, p. 329.

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constructo in ipsis possessionibus quodam oratorio in quo idem Abbas et conventus fecerunt per multa tempora per quosdam de suis monachis deserviri; postmodum dicto Comite asserente quod ipse ipsarum patronatus jus, terras, possessiones et bona predicta eisdem Abbati et conventui sub ea conditione contulerat ut in dictis possessionibus construeretur monasterium ordinis supradicti, cui ecclesie, terre, possessiones et bona assignarentur predicta, et movente super hiis ipsis Abbati et conventui questionem; tandem partes ordinationi bone memorie Glasguensis Episcopi, loci diocesani, super hiis se totaliter submiserunt, eisdem Abbate et conventu renunciantibus beneficio restitutionis in integrum et omni juris auxilio canonici et civilis et litteris a sede apostolica impetrandis; dictus vero Episcopus, de partium ipsarum et capituli Glasguensis assensu, ordinavit quod in hujusmodi possessionibus construeretur monasterium quod Crosragmol voca[re]tur, de monachis monasterii supradicti, qui sibi per canonicam electionem libere possint abbatem eligere, et quod predictum monasterium taliter construendum a potestate et jurisdictione Abbatis et conventus dicti monasterii de Passelet in omnibus sit exemptum, nisi in ordinis et habitus conformatione et observatione, et quod Abbas de Passeleto qui pro tempore fuerit predictum monasterium de Crosragmol semel visitet annuatim. Ordinavit etiam quod omnia bona que aliquando Abbas et conventus predicti monasterii de Passelet habuerunt in Karric perpetuo cederent in usus predicti monasterii taliter construendi, et quod Abbas et conventus qui essent pro tempore in hujusmodi monasterio eisdem Abbati et conventui de Passelet, pro omnibus predictis, singulis annis decem mercarum sterlingorum annuum redditum solverent, et quod ipse Episcopus et successores sui partes ad observationem ordinationis hujusmodi possent de plano et sine strepitu judicii, monitione premissa, per censuram ecclesiasticam coartare; Quare dicti Abbas et conventus monasterii de Passelet nobis humiliter supplicarunt ut cum hujusmodi ordinatio redundet in ipsius monasterii de Passelet lesionem enormem, providere super hiis ipsis per beneficium restitutionis in integrum paterna solicitudine curaremus. Ideoque discretioni vestre per apostolica scripta mandamus quatenus, vocatis qui fuerint evocandi, si vobis constiterit prefatum monasterium de Passelet ex ordinatione hujusmodi enormem sustinere jacturam, eo et dictis Abbate et conventu adversus ordinationem eandem, hujusmodi renunciationibus ac instrumentis super hoc confectis et aliis premissis nequaquam obstantibus, sicut justam fuerit in integrum restitutis, audiatis causam, et

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eam infra annum judicio, vel concordia si de partium voluntate processerit, terminare curetis, facientes quod decreveritis per censuram ecclesiasticam firmiter observari; alioquin causam ipsam instructam vel non instructam remittatis ad apostolice sedis examen, prefixo partibus termino peremptorio competenti quo per se vel procuratores ydoneos, cum omnibus munimentis et rationibus suis causam hujusmodi contingentibus apostolico se conspectui representent, facture ac recepture super hiis quod ordo dictaverit rationis. Testes autem qui fuerint nominati, si se gratia, odio vel timore subtraxerint, per censuram eandem, appellatione cessante, cogatis veritati testimonium perhibere; non obstante si aliquibus a sede sit indultum eadem quod interdici, suspendi vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam de indulto hujusmodi mentionem, sive qualibet alia dicte sedis indulgentia per quam effectus presentium impediri valeat vel differri, et de qua in nostris litteris fieri debeat mentio specialis.[1] Diem vero prefixionis hujusmodi et quicquid feceritis in premissis nobis per vestras litteras harum seriem continentes fideliter intimetis. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nichilominus exequantur. Datum Perusii viii Idus Februarii pontificatus nostri anno primo.

De eodem.

Clemens episcopus servus servorum Dei, *et cetera de verbo ad verbum ut supra usque huc;* Datum Perusii iii Idus Junii pontificatus nostri anno primo.

Abstract.

Letters by Pope Clement [the Fourth] directed to the Bishop of Dumblane, the Abbot of the Monastery of Dryburgh of St. Andrews diocese, and Master Roger of Derby, precentor of the Church of Aberdeen; whereby, on the narrative that his beloved sons the Abbot and convent of the Monastery of Paisley, of the Cluniac Order of the diocese of Glasgow, had shown to him in their petition that whereas the deceased Duncan Earl of Carrick had bestowed on them in perpetual alms the right of patronage of the Church of St. Oswald of Turnbery and of sundry other churches, and the lands, possessions, and other goods belonging to him in the diocese of

[1] These Papal commissions were the foreshadowing of trial by jury in Scotland. One of the earliest recorded was the case of Monachkeran. —*Reg. de Passelet*, and C. Innes' *Scottish Legal Antiquities*, p. 214, where the details are given. This was 42 years before, in 1223.

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Glasgow; there was built in the said possessions a certain oratory, in which the said Abbot and convent for many years caused service to be given by some of their monks; afterwards, on the said Earl asserting that he had bestowed the right of patronage, lands, possessions, and goods aforesaid to the said Abbot and convent under this condition that there should be constructed in the said possessions a monastery of the Order abovesaid, to which the churches, lands, possessions, and goods aforesaid should be assigned, and he moving a question upon these things against the Abbot and convent, the parties at length submitted themselves to the ordinance of the Bishop of Glasgow, diocesan of the place, and the Abbot and convent having renounced the benefit of *restitutio in integrum*, and all benefit of law, canon and civil, and letters purchased from the apostolic see, the said Bishop, with assent of parties and of the Chapter of Glasgow, ordained that a monastery should be erected in the said possessions, which should be called Crosragmol, of monks of the foresaid monastery, who might freely choose an Abbot by canonical election; and that the foresaid monastery so erected should be in all things exempt from the power and jurisdiction of the Abbot and convent of the said Monastery of Paisley, except in conformity in order, habit, and observance, and that the Abbot of Paisley for the time being should visit the foresaid Monastery of Crosragmol once a year: He ordained also that all the goods which the Abbot and convent of the foresaid Monastery of Paisley sometime had in Carrick, they should grant for ever to the uses of the foresaid monastery so to be erected, and that the Abbot and convent for the time being in such monastery should pay an annual rent of ten merks of sterlings every year to the Abbot and convent of Paisley for all the foresaids; and that the said Bishop and his successors might compel the parties to observe the said ordinance, on premonition being given, by ecclesiastical censure, without noise of law. Wherefore the said Abbot and convent of the Monastery of Paisley have humbly supplicated the Pope that forasmuch as this ordinance redounded to the enormous hurt of the said Monastery of Paisley, he should with paternal solicitude provide upon these matters by the benefit of *restitutio in integrum*. Therefore the Pope charges the said Bishop of Dumblane, Abbot of Dryburgh, and Mr. Roger of Derby, that having summoned those who ought to be summoned, if they find that the foresaid Monastery of Paisley by the said ordinance has sustained enormous loss, notwithstanding the renunciations and instruments thereon, etc., they shall hear the cause, and terminate

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it by judgment within a year, even if it shall have proceeded by voluntary goodwill of parties; causing what they should decree to be strictly observed by ecclesiastical censure; otherwise to remit the cause, instructed or not instructed, to the decision of the apostolic see, prefixing a peremptory competent term, in which, by themselves or suitable procurators, with all muniments and reasons pertaining to the cause, they shall present them for apostolic inspection; and to compel witnesses to bear witness to the truth by the same censure, notwithstanding of any indulgence, etc. Dated at Perugia, 8 Ides of February, first year of Pontificate [6th February 1265].[1]

Of the same.

Another letter in the same terms by Pope Clement the Fourth. Perugia, 3 Ides June, first year of Pontificate [11th June 1265].[2]

5. *Bull by Clement IV., confirming to the Monks of Paisley the Lands of Crosragmol.*—[1269.][3]

Clemens episcopus servus servorum Dei dilectis filiis abbati monasterii sancti Jacobi et sancti Mirini confessoris de Passelet eisque fratribus tam presentibus quam futuris regularem vitam professis imperpetuum. . . . Preterea quascunque possessiones, quecunque bona idem monasterium impresentiarum juste et canonice possidet aut infuturum, concessione pontificum, largitione regum vel principum, oblatione fidelium, seu aliis justis modis, prestante Domino poterit adipisci, firma vobis vestrisque successoribus et illibata permaneant. In quibus hec propriis duximus exprimenda vocabulis:— . . . Ex dono quondam Duncani comitis de Karric totam terram de Crosragmol et Sutheblan cum pertinentiis suis . . .

[1] Similar cases of a Papal commission in Scotland may be found in the *Advocates' Library MSS. Bib. Cott., Tit.* xix., empowering the Abbots of Arbroath, Lindores, and the Prior of May, to finish a controversy between the Prior and Bishop of St. Andrews; and in the *Register of Paisley*, pp. 8-10, where Honorius III. appointed the Bishop of Glasgow and the Abbots of Kelso and Melrose to decide as to the promotion of Paisley Priory to the dignity of an Abbey in 1219.

[2] There is no direct evidence as to the result of this commission, but it appears merely to have confirmed the "Scriptum" of Crosraguel. The learned editor of the *Register of Paisley* and Dr. Lees have too hastily assumed that it reserved the patronage of the churches of Turnberry, Straiton, and Dailly to Paisley, whereas we know from charter No. 22, *infra*, that they were confirmed to Crosraguel.

[3] *Registrum Monasterii de Passelet*, p. 308.

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ABSTRACT.

Bull by Clement IV., confirming to the monks of Paisley sundry lands and churches; among others the whole land of Crosragmol and Southblane in Carrick, with their pertinents, by the gift of Duncan, Earl of Carrick. Dated 1269.[1]

6. *Appendix I.* (*Bagimont's Roll*). *Taxatio Beneficiarum Preter Prelacias Scotie in decima parte eorundem.—Anno MCCLXXV.*[2]

. . . . . .

In Decanatu de Carrik.

Prepositura de Mayboll,	iiij lib.
Vic. de Mayboill,	v lib. vj sol. viij den.
Vic. de Kirkmichell,	iij lib. vj sol. viij den.
Vic. de Stratton,	iiij lib.
Vic. de Innertig,	liij sol. iiij den.
Vic. de Girven,	liiij sol. iiij den.
Vic. de Colmonell,	iiij lib.

Libellus taxationum seu contributionum spiritualitatis conceparum S.D.N. Regi per prelatos et clericos Regni Scotiæ.

. . . . . .

Glasguensis diocesis.—Crossragwell, liij lib. vj s viij d.[3]

[1] These lands appear to have been inserted in the Bull either in error or from the wish of Paisley to retain them if possible, as we see from three crown charters (Nos. 10, 18, and 22), that they were the property of Crosraguel, in accordance with the "Scriptum."

[2] *MSS. Adv. Lib.*, 31, 2, 5, pp. 11-20.

[3] Boiamund or Bagimont da Vicci, appointed by the Pope (in consequence of the decision of the Council of Lyons in 1274) to collect the tenth of the revenue of all Church Lands in the kingdom of Scotland to pay the expenses of the expedition to the Holy Land, raised the tax according to the *Verus Valor*, not the *Antiqua Taxatio* as the clergy desired. The amount collected in Scotland was £7195 sterling. Crosraguel was valued at £533 : 6 : 4, the same as Balmerino. The most opulent abbey was Arbroath, valued at £4000. The original Roll is still in the Vatican archives, and the fragment of it remaining was copied by Theiner. There are now two copies of it in Scotland, that by Habakkuk Bisset in 1622, and the *Libellus* alluded to above. V. *Statuta Ecclesiæ Scoticanæ*, p. lxx. Theiner's *Vet. Mon.*, p. 104; *MSS. Adv. Lib.*, p. 31, 2, 5, and 25, 5, 1; *Harl. MSS.*, No. 4613.

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7. *Donatio ecclesie Sancti Querani in Kentyir per Alexandrum de Hyle.* [*Circa* 1286.][1]

Omnibus Christi fidelibus presens scriptum visuris vel audituris Alexander de Hyle, filius et heres domini Engusii filii Dovenaldi domini de Hyle, salutem in Domino sempiternam: Noverit universitas vestra me inspexisse et palpasse cartam domini patris mei, non rasam, non abolitam, nec in aliqua parte sui vitiatam vel reprehensibilem, in hec verba: Omnibus Christi fidelibus tam presentibus quam futuris, Engus filius Dovenaldi, eternam in Domino salutem. Sciatis me, intuitu pietatis, et pro salute domini mei Alexandri illustris regis Scotie, *et cetera omnia de verbo ad verbum ut prescribitur usque illuc*, habentis jus patronatus in ecclesiis. Hanc siquidem donationem concessionem et confirmationem, ratam et firmam habere volens imperpetuum, eam sigillo meo duxi roborandam, et nichilominus ex habundanti, ut omnis materia controversie tollatur de cetero, predictis monachis prenominatam ecclesiam sicut scriptum est in omnibus do, concedo, et presenti scripto meo confirmo: Et ne ceca depereat oblivione aliquo tempore quod per me pia devotione gestum est et recognitum, presens scriptum sigillo meo una cum sigillo domini Laurencii Dei gratia Ergadiensis episcopi, et domini Roberti Brus' comitis de Carric, gratia majoris testimonii, roborari procuravi: Hiis testibus, Domino Patricio Dei gratia abbate monasterii de Crosragal, domino Roberto Brus' comite de Carric, Roberto filio ejusdem et herede, domino Roberto Anglico milite, domino Maricio vicario de Aran, Patricio clerico de Kentyir, domino Nicholao monacho de Crosragal, et aliis.

Abstract.

Confirmation by Alexander of Hyle, son and heir of Engus, son of Donald lord of Hyle,[2] of a charter which he had inspected and handled,

[1] *Registrum Monasterii de Passelet*, p. 128.

[2] *i.e.* Lord of the Isles. This charter is not dated, but we may perhaps assume that it was signed at the time of the convention of the Scottish barons at the Earl of Carrick's Castle of Turnberry in Sep. 1286. We know from Rymer's *Fœdera* (ii. p. 488) that not only were Robert Bruce the Earl and his son Robert (afterwards King Robert I.), both of whom witness this charter, present at the convention, but also Engus son of Donald Lord of the Isles, and Alexander his son. Again, the proximity of the Abbey of Crosraguel which is only a few miles from the castle, and the fact that both the Abbot and one of his convent witnessed the grant, point to the same conclusion (v. Tytler's *Hist.* i. 75).

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granted by his father in favour of the Monastery of Paisley, for the weal of his lord Alexander, illustrious King of Scotland, and of Alexander his son, and for the weal of the granter and his heirs, giving to the said abbey the church of St. Queran, in his land which is called Kyntire: which charter the said Alexander confirms with his seal: but nevertheless, more amply, and that all matter of controversy may be taken away, he gives and confirms the said church to the monks of the said abbey: but lest the fact of his doing so in pious devotion should at any time sink into blind oblivion, he procures the corroboration of the confirmation with his own seal, and also with the seal of Laurence, bishop of Argyll, and that of Sir Robert Brus, earl of Carrick, for greater witnessing. The witnesses being Patrick,[1] abbot of Crosraguel, Robert Bruce, earl of Carrick, Robert, his son and heir, Sir Robert Inglis, knight, Sir Maurice, vicar of Arran, Patrick,[2] clerk of Kintyre, Sir Nicholas, monk of Crosragwel, etc.

8. *Letter from Henry de Percy,*[3] *at Crosraguel, to Sir James Dalileghe.*—[*25th July* 1306.][4]

Henry de Percy Gardein en les parties de Cardoil/ a Sire James Dalileghe saluz. Nus vous maundoms en la fei qe vous devez a nostre seignor le Rey/ qe hastivement veues cestres lettres vous facez venyr deus engyns a Garvan en Carrik e les facez carier en batz qe peussent auxi ben venyr par nages cum par vent. E mout nous merveiloms de coe qe vitailes ne nous venent solom coe qe nous vous chargagames en sustenaunce del host/ par quei nous maundoms qe vous les nous facez hastivement venyr sicom vous

[1] The first Abbot of whom we have any mention. Abbot Patrick does not appear to have figured at the "Parliament" of Brigham in July 1290 (Rymer's *Fœdera*, ii. 471-2), nor did any Abbot of Crosraguel, to the lasting credit of the abbey, sign the Ragman Rolls in 1296.—*Cal. of Documents relating to Scotland.*

[2] These two ecclesiastics, Sir Maurice and the clerk, may have brought the Bishop's seal over to Turnberry with them.

[3] Henry Percy was appointed keeper of Galloway and the Sheriffdom of Ayr in 1296; and in 1306 he was again despatched into Carrick after the coronation of Robert Bruce. He held Turnberry Castle all that year, and Bruce's estate of Carrick was in fact given to him by Edward I. He was at Turnberry when Bruce effected his memorable landing from Arran in the spring of 1307, and evacuated the castle shortly afterwards.—Rymer, i. pt. ii. p. 982; Matt. of West., p. 454; Tytler, vol. i. pp. 93, 128-30; Hemingford, p. 224; Barbour, pp. 83-4, 95.

[4] *Exchequer Miscellanea* (*Army*), Public Record Office. The date is not given, but is known from the circumstances to be 1306. The seal on the letter is that of a lion rampant under a parchment cover.

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amez le honur nostre seignor le Rey/ e le profyt de tot le host. E ne lessez sicom vous vous volez sauver de damage/ e sur quaunt qe vous poez forfere devers nostre seignor le Rey/ qe cest maundement ne facez si penyblement/ e si hastivement qe nous vous peussoms gre saver/ e temonyer vostre bon service a nostre Seignor le Rey. Escrite a Crosraguel le jour seint Jake [25th July].

ABSTRACT.

Letter from Henry de Percy from Crosraguel[1] to Sir James Dalileghe, bidding him send two engines to Girvan in Carrick with all speed, and complaining of the non-appearance of the provisions for the sustenance of the army. St. James' Day, 1306.[2]

9. *Carta Abbatis et Conventus de Crosragmer.*—[*4th June* 1324.][3]

David[4] dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis salutem. Sciatis nos pro salute anime nostre et pro salute animarum omnium antecessorum et successorum nostrorum dedisse concessisse et hac presenti carta nostra confirmasse Deo et beate Marie Virgini et religiosis viris abbati[5] et monachis de Crosragmer ibidem Deo servientibus et inperpetuum servituris totam terram de Dungrelach[6] cum omnibus libertatibus commoditatibus aysiamentis et justis pertinenciis in omnibus et per omnia ad eandem terram spectantibus seu de jure spectare

[1] We may infer that a great portion of the Abbey was destroyed at this time. Fordun writes "Hoc in anno sciz 1307 Anglici combusserunt monasterium de Pasleto," while the Abbeys of Kelso and St. Andrews were also destroyed.

[2] An interesting sequel to this letter is printed in the *Calendar of Documents relating to Scotland*, in the Record Office, in the form of a letter from Edward I. to Sir James Dalilegh, wherein the King expresses great pleasure at his letter reporting that he has sent two engines to Sir Henry de Percy at Lochdoon (*sic*), and desires that all necessaries may be sent there in aid of his business. (No. 1818.)

[3] *Registrum Magni Sigilli*, Roll ii. No. 58. The original of this charter is not preserved, and was probably among the fourteen (out of fifteen) missing Rolls of Robert I.'s reign, which were lost in the removal of the Public Records to England in 1651. The above is copied from the charter of confirmation by Robert II. (v. No. 17, *infra*, and *Reg. Mag. Sigilli*, Ed., 1814, p. x. Introd.) The same applies to charters 10 and 11, *infra*, which are copied respectively from Nos. 18 and 19.

[4] This is evidently a mistake, as the names of the witnesses prove that it must have been Robert I.

[5] We have no Abbot mentioned by name from now till 1370. V. No. 14, *infra*.

[6] Dungrelach, or Drumgarloch, near the sea, about 2½ miles south of Turnberry Castle (compare Nos. 22, 86, 89, 105, 106, 112, 113, *infra*). Drumgarloch Mill is frequently mentioned in these charters.

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valentibus in futurum quoquo modo Tenendam et habendam eisdem religiosis et eorum successoribus inperpetuum in liberam puram et perpetuam elemosinam et vnam liberam baroniam. In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi Testibus venerabilibus patribus Willelmo et Willelmo Sanctiandree et Dunkeldensis Dei gracia ecclesiarum episcopis Bernardo abbate de Abberbrothoc cancellario Scocie Waltero senescallo Scocie Jacobo domino de Douglas Alexandro Fraser camerario nostro et Malcolmo Flemyng militibus Apud Berwycum super Twedam quarto die Junii anno regni nostri octavo decimo.

Abstract.

Charter by David [Robert] King of Scots, granting to the abbot and monks of Crosraguel his whole land of Dungrelach: To be held in pure and perpetual alms-gift for the weal of his soul, and of the souls of all his ancestors and successors. Dated at Berwick on Tweed 4th June, 18th year of his reign (1324).

10. *Carta Abbatis et Conventus de Corsragmer.*—[1324.][1]

Robertus Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue salutem Sciatis nos pro nobis et heredibus nostris caritatis intuitu concessisse inperpetuum religiosis viris abbati et monachis monasterii de Corsragmer ordinis Cluniacensis quod omnes terras quas ipsi tenent de nobis et antecessoribus nostris in comitatu de Carryk videlicet quinque denariatas terre de Corsragmer et de Suthbarne unam denariatam terre que vocatur Clenacheth unam denariatam terre que vocatur Balecristen Lorkan' duas denariatas terre cum dimidia de tenemento de Dunnefyne unam denariatam terre ecclesie de Kyrkoswald una cum universis terris ecclesiarum suarum parochialium ad ipsos pertinentibus de cetero habeant et pacifice teneant de nobis et heredibus nostris in liberam baroniam cum furca et fossa cum tol et theame soc et sac outfangandthef et infangandthef libere quiete et honorifice cum omnimodis libertatibus pariter aysiamentis et commodis ad liberam baroniam in regno nostro Scocie de jure vel consuetudine spectantibus seu spectare valentibus in futurum quoquomodo Preterea tres denariatas terre videlicet denariatam terre de Dalchorane denariatam terre

[1] *Registrum Magni Sigilli*, Roll ii. No. 59.

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de Corale et denariatam terre de Hachethneuach quas predicti Religiosi ex donacione quondam Edwardi fratris nostri tenent eisdem in liberam baroniam perpetuo possidendas prout in omnibus superius prescriptum est concedimus et confirmamus In cuius rei testimonium presenti carte nostre sigillum nostrum fecimus apponi Testibus venerabilibus in Christo patribus Willelmo et Willelmo Sancti Andree et Dunkeldensis ecclesiarum Dei gracia episcopis Bernardo abbate de Abberbrothoc cancellario nostro Waltero senescallo Scocie et Jacobo domino de Douglas militibus Apud Berwycum super Twedam anno regni nostri octavo decimo.

Abstract.

Charter by Robert King of Scots, in favour of the abbot and monks of the Monastery of Crosraguel, of the Cluniac order, that all the lands which they held of the king and his ancestors in the earldom of Carrick, namely, five pennies of the land of Crosragwel and of Suthbarne, one penny of the land called Clenacheth, one penny of the land called Balecristen[1] Lorkan', two pennies and a half of the tenement of Dunnefyne,[2] one penny of the land of the Kirk of Kirkoswald, together with the whole lands of their parish churches belonging to them, should thenceforth be held of the king and his heirs in free barony, with gallows[3] and pit, toll, theme, sock and sack, outfangthief and infangthief,[4] with all advantages and freedoms pertaining by law or custom to a free barony in the Kingdom of Scotland; and further, three pennies of land, namely, one of Dalchorane,[5] one of Corale,[6] and one of Hachethnevach,[7] which the aforesaid religious men held by the gift of the deceased Edward, the king's brother, to be possessed by them for ever in free barony. Dated at Berwick upon Tweed in the 18th year of the king's reign (1324), before these witnesses: William Bishop of St. Andrews, William Bishop of Dunkeld, Bernard Abbot of Arbroath, chancellor, Walter Steward of Scotland, and James Lord Douglas, knights.

[1] Balchrystine on the sea, 1½ miles north of the castle of Culzean.

[2] Duneyne or Dinhame, near the Brockloch; v. Index for other allusions.

[3] The Gallow Hill of the Abbey stood about 2 miles to the north, beyond Mochrum Hill.

[4] For an explanation of these terms, v. Cosmo Innes' *Scottish Legal Antiquities*, pp. 55-9.

[5] Apparently Dalquharran. The old castle is still an extensive building, on the margin of the Girvan (v. Paterson's *Ayrshire*, ii. 175). The first laird of Dalquharran of whom we have any mention is Gilbert Kennedy, in 1474.

[6] Probably the later Quarrel or Quarrelhill, N.W. of Dalquharran.

[7] *i.e.* Auchennaich, on the Girvan, between Dalquharran and Bargany; v. several charters *infra*, and Index.

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11. *Carta Abbatis et Conventus de Crosragmer.*—[20*th July* 1327.][1]

Robertus Dei gracia rex Scottorum omnibus probis hominibus tocius terre sue salutem. Sciatis nos divine caritatis intuitu et pro salute anime nostre et pro salute animarum antecessorum et successorum nostrorum concessisse et hac presenti carta nostra confirmasse religiosis viris abbati et conventui de Crosragmer omnes et singulas ecclesias terras redditus et possessiones quos et quas iidem religiosi habent ex donacionibus concessionibus et infeodacionibus Duncani[2] Nigelli[3] et Edwardi[4] comitum de Carric ac eciam venerande memorie domini Roberti de Bruys[5] patris nostri et domine Mariorie[6] matris nostre et omnium aliorum nobilium ac Christi fidelium regni nostri Tenendas et habendas eisdem religiosis et eorum successoribus in liberam puram et perpetuam elemosinam adeo libere quiete pure integre et honorifice cum omnibus libertatibus commoditatibus rectitudinibus aysiamentis et ceteris pertinenciis suis sicut carte eorundem religiosorum liberius quiecius plenius purius integrius et honorificencius in se proportant et testantur et prout dicti religiosi usi sunt tempore bone memorie domini Alexandri Dei gracia regis Scottorum illustris predecessoris nostri ultimo defuncti. Mandamus insuper et firmiter precipimus justiciariis vicecomitibus prepositis et eorum ballivis ac omnibus et singulis ballivis comitatus de Carric quod prefatos religiosos vel eorum successores aut homines eorundem contra hanc concessionem et confirmacionem nostram nullatenus gravare vexare seu aliqualiter inquietare presumant. In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi Testibus venerabilibus in Christo patribus dominis Willelmo Johanne Willelmo Gilberto Sanctiandree Glasguensis Dunkeldensis et Sodorensis ecclesiarum episcopis Bernardo abbate de Abberbrothoc cancellario nostro Thoma Ranulphi comite Moravie domino vallis Anandie et Manie nepote nostro Waltero Senescallo Scocie Jacobo domino de Douglas Gilberto de Haya constabulario nostro et Roberto de Keth marescallo nostro apud Cambuskyneth xx^{mo} die Julii anno regni nostri vicesimo primo.

[1] *Registrum Magni Sigilli*, Roll ii. No. 60. v. Note on No. 9.

[2] 1185-1250. [3] 1250-6. [4] 1306-18. [5] 1268-92.

[6] 1256-68: Robert Bruce, Lord of Annandale, acquired the earldom of Carrick in right of the Countess Marjory, whom he married in 1268. In 1292, on the death of the Countess, he resigned the earldom in favour of his son the future King, in accordance with the old law of Scotland.

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ABSTRACT.

Charter by Robert the Bruce, King of Scots, whereby, in view of divine charity, and for the salvation of his soul, and the souls of his ancestors and successors, he grants and confirms to the religious men, the abbot and convent of Crosragwel, all and sundry the churches, lands, rents, and possessions which they had by the gifts, grants, and infeftments of Duncan, Nigel, and Edward, earls of Carrick, and also of Sir Robert Bruce his father, and Lady Marjory his mother, of venerated memory, and of all other nobles and faithful in Christ, of his kingdom: To be held in free, pure, and perpetual alms, freely, quietly, purely, wholly and honourably, with all their freedoms, rights, and easements, according to their charter thereof, and as they were wont to enjoy the same in the time of Alexander, of good memory, illustrious King of Scots, who last deceased: charging all justiciars, sheriffs, and other officers to beware of contravening the terms of this grant. Given under the king's seal at Cambuskenneth, 20th July [1327].

12. *Gifts to the Abbot of Crosraguel from the Royal Purse.*—[1329-30.][1]

I. Compotum domini Malcolmi Fleming, senescalli domus domini regis,[2] redditum apud Neubotill, xvj die Januarii, anno gracie millesimo trecentesimo vicesimo nono, de receptis suis et expensis in dicta domo, a vicesimo die Februarii ultimo preteriti usque in decimum diem Januarii ultimo preteriti, ipso die incluso.

. . . . . .

Carric Compotum ejusdem domini Malcolmi de ballia comitatus de Carrik.

Summa hujus recepti, ccccxxx ℔ viij s. ix ₫. et xiiij marti. De quibus, abbati de Corsragmer, per decimum denarium tocius comitatus de Carric, de tribus terminis infra tempus compoti, pro fabrica[3] monasterii sui, per literam regis sub magno sigillo, per computantem presentandam in proximo compoto, c ℔. xxii ₫.

[1] *Exchequer Rolls of Scotland*, vol. i. p. 258.

[2] *i.e.* David II., who had succeeded his father, Robert Bruce, in the preceding June.

[3] Crosraguel had probably had its full share of plunder and desecration, as we find Henry Percy there in 1306 (v. *ante*, No. 8).

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TRANSLATION.

Account of Sir Malcolm Fleming, steward of the king's house, rendered at Newbottle on 16th January 1329-30, of his receipts and expenses in the said house from 20th February last to 10th January, inclusive.

. . . . . .

Account of the said Sir Malcolm of the bailiery of the earldom of Carrick.

Sum of this receipt £430 : 8 : 9, and 14 marts. Of which to the Abbot of Crosraguel, by the tenth penny of the whole earldom of Carrick[1] for three terms within the period of the account, for the repair of his monastery, by the King's letter under the great seal, to be presented by the compter in next account, £100 22½d.

II. Compotum Johannis de Twynhame[2] provisoris domini regis in Galwidia, redditum apud Sconam vij° die Augusti, anno gracie, etc. xxix., de receptis suis et expensis, usque in diem presentis compoti.

. . . . . .

Abbati de Corsragmer, ex dono regis, per literam suam de precepto, et ipsius abbatis de recepto, vj celdras. Frumentum

. . . . . .

Idem onerat se de viij celdris iij bollis farine receptis de vicecomite de Wigtown et de xx celdris iij bollis. Summa recepti, xxviij celdre vj bolle. Farina

De quibus Abbati de Crasragmer, ex dono regis per literam, x celdras.

TRANSLATION.

Account of John of Twynhame, purveyor to the King in Galloway, rendered at Scone 7th August 1329, of his receipts and expenses to date of account.

. . . . . .

[1] From a Roll, in which twelve of the Sheriffs and the bailies of Crail and Kinross gave account of the payments received by them at Whitsunday 1328, we find that the *contributio pro pace* was to be levied for three successive years, according to the tenth penny, old extent, of the rents.—*Exchequer Rolls*, Introd. p. cv. The amount to be raised was £20,000.—*Instrument in Gen. Reg. House*, Edinburgh; Tytler, vol. i. p. 182.

[2] *Exchequer Rolls of Scotland*, vol. i. p. 153.

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To the Abbot of Crosraguel, by the gift of the King, in his letter of precept, and receipt of the said abbot, six chalders.

. . . . . .

The same burdens himself with eight chalders and three bolls of meal received from the earldom of Wigtown, and with twenty chalders and three bolls. Sum of the receipt 28 chalders 6 bolls. From which, to the Abbot of Crosraguel, from the gift of the King by letter, 10 chalders.

13. *Charter by Marjory de Montgomery to John Kennedy, of the Lands of Cassillis in Carrick.*—[*Not dated:*[1] *circa* 1360.][2]

Omnibus hanc cartam visuris vel audituris Marioria de Mundegumry[3] consanguinea ac heres Christiane de Mundegumry salutem in Domino sempiternam Noverint quod ego in mea pura et legitima viduitate non vi nec metu conducta set pura et spontanea mea voluntate dedi ac vendicionis titulo concessi ac vendidi et hac presenti carta mea confirmavi, necnon dono et concedo titulo quo supra et per eandem cartam meam confirmo Johanni Kenedy[4] hereditarie omnes terras que me hereditario iure contingunt infra feodum militare de Castlys in comitatu de Carric infra vicecomitatum de Are et totum ius et clameum quos habeo vel habere potero pro me vel meis heredibus in toto vel in parte ipsius feodi militaris de Castlys. Tenendas et habendas eidem Johanni heredibus et assignatis suis de superioribus dominis feodi supradicti qui pro tempore fuerint in feodo ac hereditate per omnes rectas et antiquas metas et divisas suas adeo libere quiete plenarie integre et honorifice in bostis planis pratis pascuis et pasturis moris maresiis viis semitis aquis stagnis multuris molendinis et eorum sequelis aucu-

[1] This charter was confirmed by David II. about 1361-2 (*Reg. Magni Sigilli*, 27, 39), and must have been dated after the death of Malcolm Earl of Wigton in 1359 (Chalmers, iii. p. 380).

[2] *Muniments from the Charter Chest of the Marquess of Ailsa, at Culzean Castle.* No. 5.

[3] The lands of Cassillis had been held by the Montgomeries since 1328 at least (Paterson, ii. 274).

[4] The *Historie of the Kennedyis* gives this version of the transaction: "At quhilk tyme the said landis [of Castlys] fell to ane lass. And the Laird of Dalrumpill her nyteboir, come to hir hous of Cassillis, and persewit hir be force to have her in mariage; the quhilk scho wald not condescend to, bot descendit the hous. And at this tyme the Laird of Donour that than was, he cuming by and perseiffing the samyn, sett wpone the Laird of Dalrumpill and slew him, and releissit the lady, and tuik hir with him to his hous of Donour; quhair under promeis of mariage he made hir to resign hir landis in the Kingis handis in favoris off him: but I cannot reid that ewer he marrayit hir to his wyff." However, like all the stories of this *Historie* against the Cassillis family, this must be taken *cum grano salis.*

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pacionibus piscacionibus et venacionibus terris cultis et non cultis et cum omnibus aliis libertatibus commoditatibus aysiamentis et iustis pertinenciis tam non nominatis quam nominatis tam sub terra quam supra terram ad dictas terras et feodum militare spectantibus seu iuste spectare valentibus in futurum sicut ego Marioria predicta aut antecessores mei quicunque quibuscunque temporibus retroactis dictas terras aut dictum feodum militare de Castlys cum pertinenciis liberius tenui seu possedi tenuerunt seu possederunt Faciendo superioribus dominis predictarum terrarum seu supradicti feodi militaris predictus Johannes heredes sui et sui assignati servicium de predictis terris et de predicto feodo militari de Castlys cum pertinenciis debitum et consuetum Et ego Marioria predicta et heredes mei omnes predictas terras de Castlys cum pertinenciis eidem Johanni Kenedy heredibus suis et suis assignatis contra omnes homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte mee sigillum meum est appensum et ad maiorem huius rei securitatem et evidenciam pleniorem sigilla communia monasterii de Crosseragwell[1] et burgi de Are una cum sigillis Thome Flemyng comitis de Wygtona et domini Duncani Wallays militis tunc vicecomitis de Are presenti carte mee gracia testimonii apponi procuravi Testibus venerabilibus in christo patribus Johanne Dei gracia abbate de Pasleto et Roberto abbate de Kyllewynnyne Alano [Sen]escallo Malcolmo Sawelsone Willelmo de Echlys Patricio filio Symonis Finlao de Keris cum multis aliis.

[1] At this period the seal of the grantor was thought insufficient without those of respectable strangers; for other instances of this custom see *Reg. Epis. Glas.*, 251, 438; *Chart. Kelso*, 30, 131; *Chart. Newbottle*, 54; *Reg. de Passelet*, 217.

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ABSTRACT.

Charter by Marjory of Montgomery, cousin and heir of Christian of Montgomery, in her pure widowhood, in favour of John Kennedy, of all the lands belonging to her in heritage, within the military fee of Cassillis, in the earldom of Carrick and shire of Ayr. To hold of the lords superiors of the said fee, in fee and heritage, to the said John, his heirs and assignees, for the service due and wont. Sealed with the granter's own seal, and for the greater security and fuller evidence she procured the common seals of the monastery of Crosraguel and of the burgh of Ayr, respectively, together with the seals of Thomas Flemyng, Earl of Wigton, and Sir Duncan Wallace, Knight, then Sheriff of Ayr, to be set to the charter, for the sake of testimony, before these witnesses, the venerable John Abbot of Paisley, and Robert Abbot of Kilwinning, Alan Stewart, Malcolm Saulsone, William of Echles, Patrick son of Symon, Finlay of Kerse,[1] etc.

14. *Instrumentum visitationis et resignationis Abbatie de Crosragmol.*—[27*th September* 1370.][2]

In Dei nomine, Amen: Anno a nativitate ejusdem M°CCC°lxx°, die vero xx°vii° mensis Septembris, indictione octava, pontificatus sanctissimi in Christo patris et domini nostri domini Urbani divina providente clementia pape quinti anno octavo, apud abbatiam de Crosragmol, ordinis Cluniacensis, Glasguensis diocesis, in mei notarii publici et testium infrascriptorum presentia, religiosi viri domini Johannes[3] et Rogerus abbates monasteriorum de Passelet et Crosragmol ordinis Cluniacensis ut asserunt, dicte Glasguensis diocesis, personaliter constituti, prefatus dominus Johannes Abbas de Passelet petiit sibi exhiberi quamdam litteram citatoriam dicto Abbati de Crosragmol per ipsum primitus destinatam; quam litteram sic sibi traditam ibidem publice legi fecit; cujus tenor talis esse dinoscitur. Johannes Dei gratia abbas monasterii de Passelet Abbati monasterii de Crosragmol salutem in omnium Salvatore. Quia alias visitavimus statum monasterii

[1] The Castle of Keirs in Straiton parish passed afterwards into the Shaw family.

[2] *Registrum Monasterii de Passelet*, p. 425.

[3] John, Abbot of Paisley from *circa* 1361-1383 (*Eglinton Charters II.* 2. *Reg. de Passelet*, p. 208. Dr. Lees' *Paisley Abbey*, pp. 108-115).

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vestri unacum monachis ibidem ad tunc existentibus, et plura delicta ad defectus invenimus, que quidem delicta sive defectus propter diversas causas ad plenum non correximus; quapropter vobis precipimus firmiter et mandamus quatenus moneatis seu moneri faciatis omnes commonachos vestros tam infra monasterium quam extra existentes ubicunque poterunt reperiri, quod compareant coram nobis apud monasterium vestrum de Crosragmol die Veneris proxima ante festum Sancti Michaelis archangeli proximum futurum, hora capituli, ad audiendum et perficiendum ea que ad officium nostrum pertinere noscuntur. Et vos domine Abbas citamus per presentes quod intersitis dictis die et loco ad audiendum et perficiendum ea que ad officium nostrum pertinere noscuntur ut predicitur. Et in signum hujus mandati nostri per vos plenius executi reddite nobis presentes dictis die et loco sigillo vestro signatas. Datum sub sigillo nostro apud monasterium nostrum de Passelet die lune in festo Sancti Niniani anno Domini M°CCC°lxx°. Que littera fuit sigillata duobus sigillis oblongis de cera alba; in primo sigillo[1] continebatur ymago cujusdam abbatis ad quoddam altare celebrantis, baculum pastorale in manu suo tenentis, in cujus circumferentia scriptum fuit, SIGILLUM ABBATIS MONASTERII DE PASSELET. In secundo sigillo sculpta fuit ymago beate Marie filium ejus in manu sua tenentis, in cujus circumferentia scriptum fuit SIGILLUM ABBATIS MONASTERII DE CROSRAGMOL. Post cujus littere lecturam, prefatus dominus Rogerus ipsius monasterii de Crosragmol, in presentia sui conventus, non vi, dolo aut circumventione qualicunque inductus ut mihi apparebat, omnem dignitatem ac prelationem status abbatis monasterii de Crosragmol antedicti, quas usque tunc gubernaverat, in manus ipsius domini Abbatis de Passelet tunc presentis, sua libera, pura et spontanea voluntate, pure et simpliciter, sine cujuscunque conditionis adjectione, extunc resignavit. Quesitus tunc ab eo causam ipsius resignationis, dixit quod senio ac debilitate gravatus, infirmitate corporea sic continue vexabatur quod gregem a Deo sibi commissum, eorum terras et possessiones ac alia bona temporalia, prout incumbit officio boni pastoris, ad eorum utilitatem regere non valebat: mallet enim ut dixit honore prelatie se prorsus eximere quam sub nomine pastoris lupo rapaci gregem desolatum dimittere devorandum. Quibus causis sic per ipsum ostensis ac [per] predictum

[1] The seal of Abbot George Shaw of Paisley, taken from a deed in the Chapter House at Westminster dated *circa* 1490, closely corresponds with this description (v. Laing's *Scottish Seals*, vol. i. p. 197, and Dr. Lees' *Paisley*, p. 140).

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dominum Abbatem de Passelet et ejus consilium rationabilibus judicatis, ipsam resignationem liberam et spontaneam in manibus suis sic factam recepit, ipsum dominum Rogerum ab ipso officio abbatis Crosragmol tunc penitus absolvendo, ipsis monachis dicti monasterii de Crosragmol precepit ut aliquem diem certum pro futuro pastore eis eligendo inter se statuerent, ne ecclesia diu vidueretur pastore in spiritualibus et [in] temporalibus patiatur detrimentum. Acta sunt hec anno, die, mense, indictione, pontificatu et loco predictis; Presentibus religiosis viris et dominis, Alano monacho monasterii de Passelet, Wilelmo et Nicholao[1] monachis monasterii de Crosragmol, ac discretis viris et dominis Wilelmo Adison, Rogero Garland, rectoribus ecclesiarum de Luss et de E'glisham, Glasguensis diocesis, et aliis ad premissa vocatis et specialiter rogatis.

Et ego Nicholaius de Burn clericus Glasguensis diocesis, publicus apostolica auctoritate notarius, premissis dicte littere lecture, resignationi, testium receptioni et aliis prout supra scribuntur et recitantur, unacum prenominatis testibus presens interfui, eaque sic fieri vidi, audivi, et interlinere horum vocabulorum, *tunc* et *abbatis*, insertorum inter lineas decimam octavam et decimam nonam et vicesimam tertiam et vicesimam quartam approbo, quia ipsa manu propria scripsi; ideo presens instrumentum manu propria scripsi et signo meo solito et consueto signavi rogatus, in fidem et testimonium premissorum.

Abstract.

Notarial Instrument on the visitation by John, Abbot of Paisley, of the Cluniac order, and diocese of Glasgow, of the Abbacy of Crosraguel, of the same order and diocese, narrating that on the 27th day of September, in the year 1370, at the Abbey of Crosraguel, compeared the said John Abbot of Paisley, and Roger Abbot of Crosraguel, in presence of Nicholas Burn, notary, and the witnesses there present; and that the said Abbot John requested to be shown to him a citatory letter formerly addressed by him to the said Abbot Roger; which letter having been accordingly delivered to him, he caused it to be publicly read, of which the tenor was to the following effect:—That the said Abbot John, having visited and inspected the state of the Monastery of Crosraguel, with the monks there

[1] Afterwards Abbot. (v. No. 14.)

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residing, found many faults and defects, which, for various reasons, he did not fully correct: but charged the said Abbot Roger to warn all his fellow-monks, as well within as outside of the monastery, to compear before him there on the Friday next before the Feast of St. Michael the Archangel then following, at the hour of chapter, to hear and to do those things which belonged to his office: and cited the said Abbot Roger himself to be present at the same time and place, and to return the letter sealed with his seal, in token of his having fully executed the charge; which letter was dated at the Abbey of Paisley on Monday, in the Feast of St. Ninian, 1370, and sealed with two oblong seals of white wax, in the first of which was contained the image of an abbot holding a pastoral staff in his hand, and on the circumference the inscription, "*Sigillum Abbatis Monasterii de Passelet;*" on the second seal was graven the image of St. Mary holding her Son in her hand, and on the circumference was written, "*Sigillum Abbatis Monasterii de Crosragmol.*" After the reading of which letter the said Abbot Roger, of his free will, purely and simply, and without condition, resigned, in presence of his convent, all dignity and prelacy of the state of Abbot of Crosraguel, which he had till then governed, in the hands of the said Abbot of Paisley. Being then asked by the latter as to the reason of the said resignation, the said Roger replied that, being oppressed with age and weakness, he was so constantly troubled with bodily infirmity as to be unable to rule the flock committed to him by God, and their lands and possessions, and other temporal goods, to their profit, as behoved the office of a good shepherd; and that he desired rather to be entirely stripped of the honour of the prelacy, than under the name of a shepherd to expose his desolate flock to be devoured by the ravening wolf. Which causes, so set forth by him, having been judged reasonable by the said Abbot John and his council, he received the resignation thus freely made in his hands, and then altogether absolved the said Roger from the office of Abbot of Crosraguel; commanding the monks to fix among themselves a day for the election of their future pastor,[1] lest the church, through the want of a shepherd, should suffer loss in things spiritual and temporal.

[1] Regarding an Abbot's election, v. Introduction.

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15. *Allusion to Abbot Roger in* Fordun.—[1370.][1]

Anno MCCLXX.[2] . . Rogerus abbas de Corsraguel curam suam reliquit, et reversus est apud Dunfermelyn unde venit. Post quem electus est Nicholaus ejusdem domus monachus. . . .

16. *Charter by Malcolm, son of Roland of Carrick, to John Kennedy of Dunure, of the Lands of Treuchane and Kenethane.—[No date. Circa* 1370.][3]

Omnibus hanc cartam visuris vel audituris Macolmus filius Rolandy de Carryc salutem in domino sempiternam Noveritis me dedisse concessisse et hac presenti carta mea pro me et heredibus meis inperpetuum confirmasse Johanni Kenedi domino de Donnowyr pro consilio suo et auxilio mihi impensis et impendendis illas duas denariatas terre cum pertinenciis que vocantur Treuchane et Kenethane jacentes infra parochiam de Kyrcmychel Munterduffy in comitatu de Carric infra vicecomitatum de Are quarum predictarum duarum denariatarum terre cum pertinenciis totum jus et clameum quod Murdacus filius Sowerl habuit seu habere potuit in eisdem pro se et heredibus suis mihi resignavit per fustum et baculum sursum reddidit et coram pluribus fide dignis quietum clamavit inperpetuum Tenendas et habendas predicto Johanni et heredibus suis de me et heredibus meis per suas rectas metas et divisas in feodo et hereditate libere quiete integre plenarie honorifice bene et in pace in boscis et planis in viis et semitis in moris et mariscis in pratis et pascuis in venacionibus et aucupacionibus in stagnis et aquis in molendinis et multuris cum omnibus aliis iustis suis pertinenciis libertatibus commoditatibus et aysiamentis tam non nominatis quam nominatis ad predictas terras pertinentibus vel in futurum de iure pertinere valentibus inperpetuum sine aliquo retinemento Reddendo inde annuatim dictus Johannes et heredes sui mihi et heredibus meis in festo sancti Michaelis Arcangeli apud Kyrcmichel Munterduffy in Carric unum par alborum calcarium[4] nomine libere firme si petantur tantum modo pro omni alio servicio consuetudine exaccione vel seculari demanda varda

[1] Fordun a Goodall, lib. x. cap. xxvii.

[2] Should be MCCCLXX, as is proved by the preceding Instrument No. 14.

[3] *Culzean Muniments*, No. 8.

[4] Other blench duties were a pair of gloves, a mirror, a falcon, a goose, a sheer day's work, etc. (*Books of Exchequer*, 1596, quoted by C. Innes). The legal value of a pair of white spurs was 20s.

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Omnibus hanc cartam visuris vel audituris Jacobus filius et
et hac presenti carta mea pro me et heredibus meis universis confir
dedi illas duas denariatas terre cum pertinentiis quas vocant
terra de Odyngesmyll de Ryle quas predicti Dominus Den
den Ryel potest melius per se et heredibus suis in possessione
me imperpetuum tenendas et habendas predicto Johanni et heredibus suis
cum libertate quieta integre plenarie honorifice bene et in pace
cum in vivariis et aquis in stagnis et aquis in molendinis
rivulis et aisiamentis tam non nominatis quam nominatis ad predictas
sine aliquo retenemento reddendo inde annatim dictis Johanni et
Ioremichel quinque solidos in Odyngesmyll pro albay castagne nomine fidi
cultura domada vacua pelemo maritagio et omnia emptis que dicta
mea terras predictas duas denariatas Ryel de Trinechyne et
suspicionem et contra omnes homines et feodatos vel antecessores meos
mee sigillum est appensum. Hiis testibus Johanne senescallo
Johanne filio Henry Johanne filio Esteri filio filio Ethe et multis

[illegible] de [illegible] [illegible] in Dno [illegible] Johanem [illegible] me dedisse [illegible]
[illegible] Johi Benedi Dno de Connoll [illegible] p [illegible] [illegible] in [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

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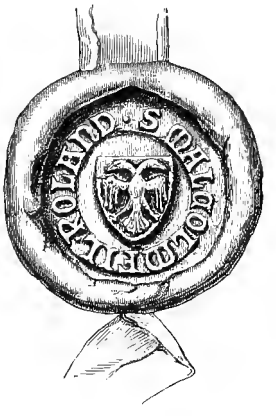
relevio maritagio et secta curie que dictis terris exigi poterint vel torqueri in futurum Ego vero Macolmus et heredes mei totas predictas duas denariatas terre de Treuechane et Kenechane cum pertinenciis predicto Johanni et heredibus suis prout melius et liberius prescriptum est contra omnes homines et feminas warantizabimus acquietabimus iuste defendemus. In cuius rei testimonium presenti carte mee sigillum est appensum Hiis testibus Johanne Senescalo comite de Carric dompno Nicolao abbate de Crosragwel Gilberto Kenedy Johanne filio Henrici Johanne filio Alexandri Ade filio Thome et multis aliis.



ABSTRACT.

Charter by Malcolm son of Roland of Carrick,[1] to John Kennedy,[2] lord of Dunure, for his counsel and aid, of those two pennyworths of land which are called Treuchane and Kenethane, lying within the parish of Kirkmichael Munterduffy,[3] in the earldom of Carrick and shire of Ayr; of which lands

[1] This Malcolm de Carrick does not appear elsewhere, nor his father Roland. He must have been the fourth in direct descent from Sir Roland de Carrick, who had the grant of the Kenkynol from Neil, second Earl of Carrick, and may have been brother to Mary de Carrick, who married the John Kennedy mentioned in the charter. By this marriage the two distinct families of Kennedy and De Carrick were merged into one (v. Paterson's *Hist. of Ayrshire*, ii. 313).

[2] The grant of the Kenkynol was confirmed to John Kennedy by King Robert II. in 1372 (*Culzean Muniments*).

[3] Originally the parish was Kirkmichael of Gemilstoun (Paterson, ii. 277; *MS. Monasticæ*, 20; Chalmers, iii. 534), but part of the property was called Kirkmichael Muntercasduff or Munterduffy, the name of the clan of which John M'Kennedy was leader (Robertson's *Index to Charters*, p. 57).

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the whole right and claim which Murdac son of Sowerl had, he resigned and surrendered by staff and baton, to the said Malcolm before many faithful witnesses: To hold to the said John and his heirs, of the granter and his heirs, in fee and heritage, for the yearly rent of a pair of white spurs, in name of blench ferme, at the feast of St. Michael the Archangel, at Kirkmichael Munterduffy. Sealed before these witnesses, John Stewart, Earl of Carrick,[1] Sir Nicolas Abbot of Crosraguel, Gilbert Kennedy,[2] John son of Henry, John son of Alexander, Adam son of Thomas, and many others.

17. *Confirmacio Monasterii de Corsragmer.*—[14*th November* 1374.][3]

Robertus Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue salutem. Sciatis nos cartam recolende memorie domini avunculi et predecessoris nostri domini David[4] regis Scottorum illustris de mandato nostro visam lectam inspectam et diligenter examinatam intellexisse ad plenum sub hac forma. David Dei gracia, (etc., *ut supra*, No. 9). Quamquidem cartam in omnibus punctis articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectu in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris in perpetuum confirmamus salvo servicio nostro. In cuius rei testimonium presenti carte confirmacionis nostre nostrum precepimus apponi sigillum Testibus etc. apud Kirkoswald xiiij^{to} die Novembris anno regni nostri tercio.

Abstract.

Confirmation by Robert II., King of Scots, of a charter granted by his uncle and predecessor of worthy memory, the illustrious David, King of Scots, to the abbey of Crosraguel, of the lands of Dungrelach, in free alms gift, and one free barony (*vide* Charter, confirmed *supra*, No. 9). Confirmed at Kirkoswald[5] 14th November in third year of reign (1374).

[1] Afterwards King Robert III.

[2] Son and heir of John Kennedy, the grantee.

[3] *Registrum Magni Sigilli*, Roll ii. No. 58.

[4] Should be his *grandfather* King Robert, as was shown in note on No. 9; a singular mistake, either in the original charter or in the copy in the lost Register of the Great Seal.

[5] The king may have been staying at the royal castle of Turnberry, which remained with the Crown until 1482, when it was acquired by John Lord Kennedy (Paterson, ii. 363).

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18. *Confirmacio Abbatis et Conventus de Corsragmer.*—[14*th November* 1374.][1]

Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem. Sciatis nos cartam recolende memorie domini regis Roberti de mandato nostro visam lectam inspectam et diligenter examinatam intellexisse ad plenum sub hac forma Robertus, (etc., *vide* Charter, No. 10, *supra*). Quam quidem cartam in omnibus punctis articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectu in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris inperpetuum confirmamus salvo servicio nostro. In cuius rei testimonium presenti carte confirmate nostre nostrum precepimus apponi sigillum Testibus, etc. Apud Kyrkoswald xiiij^to^ die Novembris anno regni nostri tercio.

ABSTRACT.

Confirmation by Robert II., King of Scots, of a charter granted by King Robert the First, to the abbey of Crosraguel, granting to them all the lands which they held of the king and his ancestors in the earldom of Carrick, to be held in free barony, etc. Confirmed at Kirkoswald 14th November, third year of reign (1374).

19. *Confirmacio Monasterii de Crosragmer.*—[14*th November* 1374.][2]

Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue clericis et laicis Sciatis nos cartam recolende memorie domini regis Roberti de mandato nostro visam lectam inspectam et diligenter examinatam intellexisse ad plenum sub hac forma, Robertus (etc., as in No. 11, *supra*). Quamquidem cartam in omnibus punctis articulis condicionibus et modis ac circumstanciis suis quibuscunque forma pariter et effectu in omnibus et per omnia approbamus ratificamus et pro nobis heredibus et nostris inperpetuum confirmamus salvo servicio nostro. In cuius rei testimonium presenti carte confirmacionis nostre nostrum precepimus apponi sigillum Testibus, etc., apud Kyrkoswald xiiij^to^ die Novembris anno regni nostri tercio. (1374.)

[1] *Registrum Magni Sigilli*, Roll ii. No. 59. [2] *Ibid.* No. 60.

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ABSTRACT.

Confirmation by Robert II., King of Scots, of charter granted to the monastery of Crosraguel, by King Robert the Bruce (No. 11 *supra*). Confirmed at Kirkoswald 14th November, third year of reign (1374).

20. *Indenture between Thomas Fleming*[1] *and John Kennedy of Dunure, for the Wadset to the latter of the Lands of Cumbernald.*—[16*th February* 1374-5.][2]

Anni gracie millesimi tricentesimi septuagesimi quarti die Veneris decimo sexto die mensis Februarii apud Are facta fuit hec convencio et confirmata inter prenobiles viros Thomam Flemyng nepotem et heredem quondam domini Malcolmi Flemyng comitis de Wygtona ex una parte et Johannem Kenedy dominum de Donhowere ex altera parte videlicet quod antedictus Thomas Flemyng ex mera libera voluntate sua racione eciam ulterioris comodi concessit inpignoravit et hac presenti indentura (pignori super subscriptis condicionibus firmiter obligavit totas terras suas de Cumbyrnald cum pertinenciis in baronia de Leynne infra vicecomitatum de Dunbretane dilecto amico suo et speciali) prenominato Johanni Kenedy domino de Donhowere pro centum et viginti mercis bone monete auri et argenti supradicto Thome Flemyng manuatim pacatis et persolutis. Tenendas et habendas predicto Johanni et heredibus suis ab ipso Thoma antedicto et heredibus suis totas dictas terras de Cumbyrnald cum omnibus suis libertatibus, comoditatibus aysiamentis et suis iustis pertinenciis in omnibus et per omnia ad ipsas terras de Cumbyrnald spectantibus seu quoquo modo medio tempore spectare valentibus libere quiete integre honorifice bene et in pace sine contradictione vel impedimento sepedicti Thome vel heredum suorum in perpetuum, quousque ipse supra dictus Thomas Flemyng vel heredes sui de corpore suo legitime procreati seu procreandi, predicto Johanni Kenedy vel heredibus suis centum et viginti

[1] Succeeded his grandfather Malcolm, the great Earl of Wigton, about 1359. Whether he merited the title given him by Chalmers of the "dissipated Earl," for disposing of his earldom in 1371 to Sir A. Douglas, is perhaps questionable, but the transaction mentioned in this charter will hardly enhance his reputation for thrift (v. Robertson's *Index*, p. 134; Paterson's *Lands and their Owners in Galloway*, p. 24; Chalmers, iii. 380).

[2] *Culzean Muniments*, No. 15.

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Anno dñi millesimo tricentesimo septuagesimo quarto die Veneris
et confinalis nobilis viros Thomam Flemyng nep
et Johnem Keredy filium de Conholkeys et alios pro discrete
comodi concessit impignorauit. Hac vero indentura pignoris sup
premend in Kayoma de Leymne infra circumdacion de Cumbrye
per certis et digna mias bone monete auri et argenti sup dicto
Johni et hedibus suis ab ipso Thoma audito et hedibus suis t
ayssamentis et suis infris premend in omnibus et per omnia ad ipsi
balentibus libe quiete integre honorifice bene et in pace sine com
ipso sup dicti Thomas Flemyng vel hedes sui de corpore suo
et digniti mias bone monete auri et argenti ad duo festa sa
nati de primo futuro Thome Flemyng vel ad primum futurum hedi
hedibus suis ex libero dono concesser et dedit antedicto Johni
denidis omnes illas pecunias solutas et comoda premend
predicto tempore. Item concordatum est inter predictos nobiles Thoma
matum per vel ipso Thomas Flemyng vel hedes sui impignorabit
illas pecunias de Cumbrynald in premend in manus vel
vel ad primum festum hedum suorum predictorum ex manus pder
sui alienabit vel alienabit istam impignoracion illam de
dimedo dictus Thomas vel hedes sui ipsas illas de Cumbrynald
vel solvabunt. Similiter concordatum est inter predictos Thom
predicta pfato Johni Keredy vel hedibus suis per dicti Tho
et hedes sui predicti habunt libe a dicto Johne Keredy et he
Johne, nullo impedimento vel contradicione eius sup inde imp
testorum. Sigilla predictarum pelli presentis indenture alternat
Nicholao Allaro de Crossaguell, presente Eno Eno Johne
Galbro Keredy militibus Johne filio Quidam Kennedy decani filii
burgensibus de Ayr et multis aliis.

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decimo septimo die mensis Februarii apud Lye. Facta fuit per conventio
et hedem Judem dni Galeolm Flemyng comitis de Wigtoun ex una pte
et Andrea Thomas Flemyng ex altera libra Solitate sua sono et dictorum
subscriptis conditionibus firmiter obligant totas terras suas de Cumbynald cum
suis silvis cum suo et Walli, principalis John Kennedy filius de Gonholbey
homo Flemyng manutenere, protegere et protinere et tenere et hunc pdictum
totas terras de Cumbynald cum omnibus suis libertatibus, commoditatibus
terras de Cumbynald spectantibus seu aliquo modo medio tempore spectantibus
ut impedimentum capere et homo ut hedem suum in perpetuum, quousque
primo pcessit seu pcesserit, pdictus John Kennedy ut hedibus suis contra
omnem in homo dni Umfraci p deliberatione terrarum terrarum de Cumbynald
pspectorum pstitit ut pstitimus et p ipso Thomas audiret p se et
Kennedy et hedibus suis p consilio suo et officiis sibi suis pensis et pen
g terras et ps de Cumbynald cum pertinentiis dignitate tota pstitas ipsum
et Johnem et p se et hedibus suis tunc pro conditionalibus conf
et impignorabunt alienabit ut alienabunt deliberabit ut deliberabunt ipsis
ad usum alium ut alicui pertinentibus ad ipsum usum ipsius et homo
is Kennedy ut usum aut hedum suorum in dictus Johes Kennedy ut heres
Cumbynald cum pertinentiis alienibus ut alicui sono specialitatis ut commodi
pertinentiis p pmissam solutionem in sibus et pmissis est deliberabit
Flemyng et Johnem Kennedy p se et hedibus suis p facta solutione
Flemyng ut hedes suos pmissos et pmittere ipso Thomas Flemyng
bus suis extitit dictas terras de Cumbynald cum pertinentiis in pacis
ondis p dictos Johnem Kennedy et hedes suos in quorum omnium pmissorum
sunt apposita anno die et loco supradictis testibus videlicet pro domino
ro Glendayno octavo de Ayr Dominus Nicholao de Knockdoliano et
d Thomo de Cayple Johne de Montgomery Johne de Mayland

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mercas bone monete auri et argenti in uno festo Sancti Martini in yeme apud Dunhowere pro deliberacione dictarum terrarum de Cumbyrnald ad proprium usum Thome Flemyng vel ad proprium usum heredum suorum prescriptorum persolverit vel persolverint. Et quod ipse Thomas antedictus pro se et heredibus suis ex libero dono concessit et dedit antedicto Johanni Kenedy et heredibus suis pro concilio suo et beneficiis sibi et suis impensis et impendendis omnes firmas redditus utilitates et comoda provenientes ex dictis terris de Cumbyrnald cum pertinenciis durante toto presentis impignoracionis tempore; item concordatum est inter premissos nobiles Thomam et Johannem, et pro se et heredibus suis utriusque partis condicionaliter confirmatum quod nec ipse Thomas Flemyng nec heredes sui impignorabit vel impignorabunt alienabit vel alienabunt deliberabit vel deliberabunt ipsas terras premissas de Cumbyrnald cum pertinenciis, in manus vel ad usum aliorum vel alicuius preter tantummodo ad proprium usum ipsius Thome vel ad proprium usum heredum suorum premissorum extra manus predicti Johannis Kenedy vel usum aut heredum suorum nec dictus Johannes Kenedy vel heredes sui alienabit vel alienabunt istam impignoracionem terrarum de Cumbyrnald cum pertinenciis aliquibus vel alicui racione specialitatis vel comodi dummodo dictus Thomas vel heredes sui ipsas terras de Cumbyrnald cum pertinenciis per premissam solucionem in omnibus ut premissum est deliberabit vel deliberabunt Similiter concordatum est inter premissos Thomam Flemyng et Johannem Kenedy pro se et heredibus suis quod facta solucione premissa prefacto Johanni Kenedy vel heredibus suis per dictum Thomam Flemyng vel heredes suos premissos ut premittitur; ipse Thomas Flemyng et heredes sui premissi habebunt libere a dicto Johanni Kenedy et heredibus suis ex tunc dictas terras de Cumbyrnald cum pertinenciis in proprios usus, nullis impedimento vel contradiccione eis super inde inponendis per dictos Johannem Kenedy vel heredes suos. In quorum omnium premissorum testimonium sigilla premissarum parcium presenti indenture alternatim sunt apposita anno die et loco supradictis Testibus reverendo patre dompno Nicholao abbate de Crosraguell, provido viro Johanne More prebendario ecclesie de Are dominis Nicholao de Knocdoliane et Gilberto Kenedy militibus Johanne filio quondam Henrici Adam filio quondam Thome de Carryk Johanne de Monthagv Johanne de Moravia burgensibus de Are et multis aliis.

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ABSTRACT.

Indenture between the right noble men, Thomas Flemyng, grandson and heir of the deceased Sir Malcolm Flemyng, Earl of Wigton, on one part, and John Kennedy, Lord of Dunure, on the other part, to the effect that the said Thomas Flemyng, of his mere free will and for his further advantage, granted in wadset to his beloved and special friend the said John Kennedy, all his lands of Cumbernald in the barony of Lenzie, within the shire of Dumbarton, for one hundred and twenty merks of good money, in gold and silver, paid in hand to the said Thomas: To hold to the said John and his heirs until the said Thomas Flemyng, or the heirs of his body, lawfully gotten or to be gotten, shall pay to the said John Kennedy or his heirs one hundred and twenty merks of good money, of gold and silver, at the feast of St. Martin in winter, at Dunure, for deliverance of the said lands of Cumbernald to the proper use of the said Thomas or his heirs; and that the said Thomas, for himself and his heirs, granted and gave to the said John, for his counsel and good deeds done and to be done to him and his, all the fermes, rents, and advantages arising from the said lands, during the time of the wadset. It was also agreed that neither the said Thomas nor his heirs should wadset, sell, or deliver the foresaid lands into the hands, or for the use of any other persons or person, except only to himself or his heirs; nor should the said John Kennedy or his heirs sell the wadset of the said lands to any one for the sake of specialty or advantage; but that the said Thomas or his heirs should deliver the lands by the aforesaid payment; which being made to the aforesaid John Kennedy or his heirs, by the said Thomas or his heirs, they should then have the lands again freely from the said John Kennedy and his heirs. Sealed by the said parties interchangeably, at Ayr, on Friday the 16th of February 1374-5, before these witnesses, the reverend father Sir Nicholas Abbot of Crosraguel;[1] a prudent man, John Mure, prebendary of the Church of Ayr; Sir Nicholas of Knokdolian,[2] and Sir Gilbert Kennedy,[3] knights; John son of the deceased Henry, Adam son of the deceased Thomas of Carrick, John of Montagu, John of Moray, burgesses of Ayr, and many others.

[1] Elected in 1370, v. *ante*, No. 15.

[2] Probably a Kennedy. Knockdolian barony was not acquired by the Grahames till the 15th century. The old castle still stands at the foot of Knockdolian Hill.

[3] Son of John Kenuedy of Dunure. He had also a charter from Thomas Fleming of the town of Kirkintilloch in 1370 (*Culzean Charters*).

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21. *Charter by John Kennedy of Dunure to the Chapel of St. Mary of Maybole.*[1]—[*1st March* 1383-4.][2]

Omnibus hoc scriptum visuris vel audituris Johannes Kennedy dominus de Donnowyr salutem in omnium salvatore Quia in litteris sanctissimi in Christo patris et domini nostri domini Clementis divina providencia pape septimi venerabili in Christo patri domino Waltero Dei gracia episcopo Glasguensi directis continebatur cum clausula si est ita capella beate Marie virginis de Mayboyl[3] fundata quatenus fundacionem constructionem institucionem ordinacionem et dotacionem predictas auctoritate apostolica ratifices approbes et confirmes, etc. Hinc est quod ego prescriptus Johannes virtute ipsarum literarum apostolicarum statuo et ad perpetuam rei memoriam per presentes firmiter ordino quod unus presbitriorum in prescripta capella institutorum sit prepositus in ipsius capelle gubernacione ut in cartis meis inde confectis liberius continetur qui curam aliorum habeat et cui ceteri eiusdem capelle presbiteri obediant ut juris est in licitis et honestis Item ordino quod idem prepositus habeat totas terras de Barlach[4] Barcley[5] et totas terras de superiori Balemaclawnathan[6] videlicet de Archylone et Ardowrag Reddendo inde annuatim ad duos anni terminus videlicet penthecostes et Sancti Martini in yeme uni presbiterorum infrascriptorum viginti solidos argenti bone monete pariter habeat ac unam mercatam terrarum de Kynach. Item ordino quod secundus in eadem capella presbiter institutus habeat tres mercatas terrarum de Mayboyl una cum molendino inibi situato unam mercatam terre dictam Knokneby sex mercatas terre de Trewchan duas mercas cum dimidia annui redditus de Inferiori Balemaclawnathan Similiter cum una mercata terrarum de Kynach Item ordino quod tercius in eadem presbiter institutus habeat

[1] The charter by John Kennedy founding the chapel is given in full in the charter of confirmation by Robert II. (*Reg. Magni Sigilli*, 82, 282), dated at Dunure 29th Nov. 1371, and granting to the chapel, *juxta cimiterium ecclesie parochialis de Mayboyl*, the lands of Balmaclewhane, Barrecloych, Treuchane, and Barrclach, for the sustenance of the chapel, a clerk, and three chaplains. The charter of confirmation is dated at Dundonald, 4th Dec. 1371.

[2] *Culzean Charters*, No. 19.

[3] The collegiate church of Maybole was one of the first founded in Scotland; thirty-five of these miniature cathedrals were erected between 1392 and 1545 (v. Chalmers, i. 844; Laing's *MSS., in the Univ. Lib.*) The fabric of the church was entire when Abercrummie wrote, about 1680, adjoining the parish church.—M'Farlane's *Coll. Adv. Lib.*

[4] Barloch or Barlach, a sheet of water one mile east of Maybole. The farm of Barloch still exists.

[5] Over and Nether Barcley are north and south of Barcley Hill, above Kirmichael.

[6] Barclanachan, a large house on the site of the modern mansion of Kilkerran.

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be received from the provost of the chapel, as aforewritten; with one mercate of the lands of Kynach; and so to their successors in their order: Also granting one mercate of the lands of Kynach, next to the said chapel, for the maintenance of one clerk for the provision of the chapel, the provost, and the others therein instituted: He further ordains that all presbyters to be founded in the chapel, as well as those already founded, shall obey the provost in things lawful and honest; and that all the presbyters, whether they have other benefices or not, shall make continuous residence, unless a reasonable cause shall intervene, and they be excused by permission of the provost; also that they shall celebrate daily, when disposed thereto; and if any one fails to celebrate mass, unless upon reasonable cause, or the allowance of the provost, he shall be amerced in four pence for each default; the money to be disposed by the provost for the support of the chapel: Further, that they shall be present in the chapel during all canonical hours, as well on Lord's days as on double or festival days; and whoever shall on such days be absent from vespers, matins, high mass, or second vespers, shall be amerced in four pence for each occasion of absence: and if any one shall be absent from the first, third, sixth, ninth complines, he shall be amerced in one penny for each fault; a similar penalty being incurred from absence from high mass on festival days; ordaining also that these fines shall be fully paid at the end of each month, to be disposed of by the provost between himself and those presbyters who served well: The granter further ordains that the aforesaid lands of Athylenne and Ardowrag shall be as free in all respects as the other lands of the said chapel, as in his charters concerning the foundation thereof was more amply contained. The presbyters are further ordained to swear bodily to observe all and sundry the rules above mentioned: and so long as any of them violate their oath, and refuse to give obedience to the provost of the said chapel, the fruits of their benefices shall wholly belong to the provost: In witness whereof, the seal of the granter, together with that of Sir Gilbert Kennedy his son and heir, are appended at Cassillis, 1st March 1383-4: The witnesses being Walter Bishop of Glasgow, John Bishop of Dunkeld, Nicholas Abbot of Crosraguel, John Abbot of Kilwinning, John Henryson Lord of Culyagan, Thomas Kennedy Lord of Geyltrew, Sir William Woodcok, presbyter, and many others.

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22. *Charter by King Robert the Third, granting to the Monastery of Crosraguel certain Churches and Lands.*—[24*th August* 1404.][1]

Robertus Dei gracia rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos caritatis intuitu et pro salute animarum omnium antecessorum et successorum nostrorum ac specialiter anime nostre carissimeque consortis nostre Anabelle regine Scocie et filii nostri David quondam ducis Rothesaye comitis de Carryk ac omnium fidelium defunctorum dedisse concessisse et hac presenti carta nostra confirmasse religiosis viris abbati et conventui monasterii de Corsragwell ac monachis ibidem Deo servientibus et imperpetuum servituris in regaliam et liberam regalitatem omnes terras suas subscriptas videlicet ecclesiarum sancti Oswaldi de Turnebery[2] sancti Cuthberti de Stratoun sancti Cuthberti de Innergarvane[3] sancti Cuthberti de Innertig[4] et sancti Michaelis de Dalmulkerane[5] Item duas denariatas terre capelle sancte Trinitatis de Kildomine[6] Item tres mercatas terre ex dono Johannis Henrici Item quinque denariatas terre de Corsraguell et de Southblane Item unam denariatam terre de Channacheth Item unam denariatam terre que vocatur Balekirstenlorcane et totam terram de Dumkeynen Item denariatam terre de Clachrybeg Item denariatam terre de Achenacht Item denariatam terre de Dallochorane Item denariatam terre de Corrale Item quinque denariatas terre de Drumgrelach Item quinque marcatas terre de Snade[7] et unam marcatam terre in tenemento de Donemurthy[8] Item viginti solidatas terre de Drumcaldilthey et Drumfern[9]

[1] *Culzean Muniments*, No. 26. This charter is among the missing rolls in the Great Seal Register.

[2] *i.e.* Kirkoswald.

[3] Or Girvan, apparently granted to Crosraguel *ab initio.* John, vicar of Girvan, swore fealty to Edward in 1269 (Chalmers, iii. 538-9; Paterson, ii. 244; and *Ragman Rolls*).

[4] *i.e.* Ballantrae. The full name of Kirkcudbright-Innertig, from the influx of the river Tig, first called Ballantrae in 1617 (v. No. 132 *infra;* and cf. Chalmers, iii. 543; and Paterson, ii. 80).

[5] Or Dailly, v. note on No. 2. The patronage of these five churches rested with Crosraguel until 1617, when they were annexed to the Bishopric of Dunblane (v. Nos. 133 and 135 *infra*).

[6] In the parish of Barr, on the Stinchar; called at various times Kildinine, Kildamnie, and Kirkdamdie. The ruins of the chapel still exist, but the date of its erection is unknown. The celebrated "Kirkdamdie Fair" has from time immemorial been held at this place on the last Saturday of May, but is now little more than a gathering of farmers in the neighbourhood.

[7] Snade lies half-way between Dalquharran and the coast.

[8] Dunmurthy, near Kirkdamdie, in Barr parish.

[9] Drumfern or Drumfairn, near the sea, four miles south of Girvan.

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Item viginti solidatas terre capelle sancti Donnani de Cragach[1] Item decem solidatas terre Johannis Makcubeyn in tenemento de Trudonag[2] Item viginti solidatas terre de Drumrachney[3] et de superiori dominio illius tenementi Item insulam de Ilysay[4] cum pertinenciis Tenendas habendas et possedendas omnes et singulas prenominatas terras cum pertinenciis eisdem abbati et conventui et eorum successoribus pro perpetuo in liberam regalitatem seu regaliam ut predicitur in feodo et hereditate ac in puram et perpetuam elemosinam inperpetuum cum furca fossa sok sak tholl theme infangtheif outfangtheif et cum quatuor punctis spectantibus ad coronam[5] et cum omnibus et singulis libertatibus commoditatibus et asiamentis ac justis pertinenciis quibuscunque ad regaliam seu liberam regalitatem spectantibus seu juste spectare valentibus quomodolibet in futurum adeo libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut aliqua regalia seu regalitas libere per nos vel predecessores nostros reges Scocie aliquibus personis infra regnum nostrum vel monasterio seu loco pio liberius conceditur seu donatur Faciendo inde continue et cotidie pro salute nostra et animarum omnium predictorum celebrari in monasterio predicto unam missam cum speciali collecta pro nobis per unum monachum ydoneum ad certum altare dicti

[1] Chapel-Donan, on the lands of Craigoch, near the coast, about two miles N.N.E. of Girvan. St. Donan was a Scottish saint of the ninth century (Chalmers, iii. 539), and his feast was celebrated on April 9. Cf. Kildonan.

[2] Tradonag, on the Girvan, near the modern Crosshill.

[3] Near the Girvan, one mile north-east of Dalquharran.

[4] *i.e.* Ailsa Craig. There is an old castle on the Craig of an early date, which may or may not have belonged to the abbey. The Rev. Mr. Lawson, in his little work on Crosraguel, mentions that the Hamilton arms are carved on one of the walls, which would indicate that the castle was built by one of the Hamilton family in Arran. There is no evidence of a Hamilton having been abbot of Crosraguel, nor is it likely that he would have cut his own bearings on an abbatial edifice. Ailsa was, and is, in Dailly parish, from being part of the barony of Knockgarron, which was itself in the regality of Crosraguel (see note on No. 29). In 1597 a daring Catholic baron, Barclay of Ladyland, seized and fortified Ailsa with intention of delivering it to the Spaniards; but he was driven into the sea by Mr. Andro Knox, minister of Paisley. He could not have had time to build the castle, as has been suggested, and it is, moreover, of much more ancient date (v. Spottiswood, p. 445; *MS. State Paper Office*, quoted by Tytler, iii. 309). The Marquis of Ailsa holds the Craig to this day by paying a lordship of solan geese to be laid down at the door of Fairlie House every year (Paterson, p. 246).

[5] Crosraguel was now for the first time granted the regality over its lands, even to the four "puncta coronæ," *i.e.* murder, fire-raising, rape, and robbery, which were usually reserved. Robert Bruce granted them with the earldom of Moray to his nephew, and Robert II. to his son David, Earl Palatine of Strathearn (*Scottish Legal Antiquities*, pp. 40, 60; *Reg. Mag. Sigilli*, p. 85, iv. 294, p. 88, No. 306). The points of the crown were not granted to Paisley Abbey until 1488 by James IV. (*Reg. de Passelet*, p. 84), though Robert III. granted them their lands in Ayrshire, Peebles, and Roxburghe, in a barony of regality.

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abbas et conventus et eorum successores inperpetuum una cum aliis oracionum suffragiis devotarum In cuius rei testimonium presenti carte nostre nostrum precepimus apponi sigillum Testibus reverendis in Christo patribus Henrico episcopo Sanctiandree Gilberto episcopo Abirdonensi cancellario nostro Roberto Duce Albanie comite de Fiffe et de Mentheith fratre nostro germano Henrico de Sancto Claro comite Orgadie Jacobo de Dowglas domino de Dalkeith et Johanne de Maxwell patre militibus apud Linlithcu vicesimo quarto die Augusti anno Domini millesimo quadringentesimo quarto et regni nostri anno quinto decimo.

Hec est vera copia principalis carte Regalitatis monasterii de Corsragwell copiata et collationata per me dominum Georgium Blaire capellanum ac notarium publicum nil addito aut mutato quod sensum variaret aut significacionem mutaret teste mea subscriptione manuali.

Ita est Georgius Blair[1] capellanus ac notarius publicus manu propria scripsit.

ABSTRACT.

Charter by King Robert the Third, on the ground of charity and for the safety of the souls of all his ancestors and successors, and specially of his own soul and that of his beloved consort Anabella, Queen of Scotland, and of his son David, sometime Duke of Rothesay, Earl of Carrick, and of all the faithful dead, granting and confirming to the abbot and convent of Crosraguel, and the monks there serving God, in perpetuity, all their lands following, that is to say, of the churches of St. Oswald of Turnberry, St. Cuthbert of Straton, St. Cuthbert of Innergarvane, St. Cuthbert of Innertig, and St. Michael of Dalmulkerane: Also the two penny land of the chapel of the Holy Trinity of Kildomine, two mercates of land doted by John Henry, five penny lands of Crosraguel and Southblane, one penny land Channacheth, one penny land called Balekirstenlorcane, and the whole land of Dumheynen, a penny land of Clachrybeg, of Achenacht, of Dallochorane, and Corrale, respectively, five penny lands of Drumgrelach, five merk land of Snade, and one merk of land in the tenement of Donemurthy: Also twenty shilling lands of Drumcaldilthey and Drumfern, twenty shilling lands of the chapel of St. Donnan of Cragach, ten shilling lands of John Makcubyn in the tenement of Trudonag, twenty shilling lands of Drum-

[1] Sir George Blair was notary public in 1529 (v. No. 52, *infra*).

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rachney and of the over lordship of the same tenement: Also the island of Ilysay, with the pertinents; To be holden, had, and possessed, all and sundry the aforenamed lands, by the said abbot and convent for ever, in free regality, in fee and heritage, and in pure and perpetual alms, with gallows and pit, sok, sak, tholl, theme, infangthief, outfangthief, and with the four points pertaining to the crown: Performing therefor, continually and daily, one mass for the soul of the king, and for the souls of all those before mentioned, to be celebrated in the said monastery by one qualified monk, at a particular altar, with a special collect for the king, together with other offerings of devout prayers. Sealed with the king's seal, and dated at Linlithgow 24th August 1404.

23. *Report on Crosraguel, in the Archives of the Abbey of Cluny.*—[1405.][1]

"Dénombrement des abbayes, prieurés, et maisons réligieuses dépendant médiatement ou immédiatement des abbayes et ordre de Cluny, tant en Angleterre qu'en Ecosse (sans date, mais de l'écriture d'environ 1490)."

. . . . . .

Item abbatia de Crossagmel Glasguensis diocesis que immediate est subiecta abbatie de Passeleto in qua erant anno Domini M°IIII° quinto X monachi.

24. *Charter by John M'Gillelane to Fergus Kennedy of Bomonyn, of the Upper Half of the Barony of Glenstyncher.*—[18*th March* 1415-16.][2]

Omnibus hanc cartam visuris vel audituris Johannes M'Gillelane filius et heres quondam Ingerami M'Gillelane[3] dominus dimidietatis terrarum superioris baronie de Glenstanchere que vulgariter nuncupatur Dalecarne[4]

[1] From the *Fonds Moreau: Chartes de Cluny:* No. 283, in the Bibliothèque Nationale at Paris; an immense collection of Cluny charters now being edited by Monsieur Bruel. Mr. Madan, of the Bodleian Library, Oxford, has kindly sent me an extract from the *Bibliotheca Cluniacensis* of Andreas Quercetanus in that library, printed in 1614, in precisely the same words as the above. It appears that there was a visitation of the English and Scotch abbeys of the Cluniac Order in 1405 by the mother house. From the papers at the end of the volume it is evident that *ten* was the complete establishment of the monastery (v. Nos. 64, 65, 68, etc., *infra*).

[2] *Culzean Muniments*, No. 32.

[3] When the M'Gillelanes acquired Dalecarne does not appear. Ingram M'Gillelane was a proprietor in Forfarshire in 1373 (*Reg. Magni Sigilli*, p. 116, 13).

[4] Dalecharne lies on the Stinchar, 4 miles N.E. of Kirkdamdie.

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Omnibus hanc cartam visuris vel audituris Johannes Angilleliane filius
Davone de Glenstankere que obligatur mediante Thalectarij dedisse
tuum confirmasse carissimo amico meo Feugusio Kenedy domino
pro quadam certa pecunie summa quadraginta libr. bone et legalis
computa pre manibus plenarie et integre persolute totas et integras terras
iacentes in comitatu de Carr. nuncupatas Bracomitatum Ire Tenend. et hend.
Glenstankere cum pertinentiis predicto Feugusio et heredibus suis vel
imperpetuum per omnes metas suas antiquas et diuisas in bosco
molendinis multuris et eorum sequelis aucupacionibus venacionibus
cavbanarie lapide et calce et cum omnibus et singulis libertatibus
diuidendum predicte Johanni Davone cum pertinentiis spectantibus
et honorifice bene et in pace sine aliquo retardamento vel contradictione
Feugusio et heredes sui vel sui assignati de predictis terris diuidendis
Ceu predictus Johannes Angilleliane et heredes mei omnes et singuli
predicto Feugusio et heredibus suis vel suis assignatis in omnibus
acquietabimus et imperpetuum defendemus In cuius rei testimonium
et notoriam euidentiam sigillum commune monasterij de Corsfield
quale datum octauo die mensis maij Anno domini millesimo
Alexandro Kenedy Dno de Bedstenchere Johanne de Carlisleat
Kenedy de Dalfasse Alexandro de Hamilton et Alano de Carlisle

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r heres quondam Ingeram vigilellarius dominus dmidietatis terrarum superior
mcessisse z hac presenti carta mea pro me z heredibus meis ac successoribus meis
dominis meis pro suis bonis consilio z auxilio michi multiplicatis impensis ac
dete aur z argenti verum facere michi in mea magna z urgente necessitate bone
o meas dmidietatis superioris Baronie predicte de glenstrichare cum pertinentiis
mnes z singulis prenominatis terris predicte dmidietatis superioris Baronie de
ne assignatis de domino comite de Lauder z heredibus suis in feodo z hereditate
s plenus modus, marresius bos semitus aquis fluvius pratis pastus z pastura
z piscaris cum curso est ictus z curiazium cortibus petariis turbariis et
dnatibus z aisamentis de usu pertinentiis quibuscunque ad predictas terras
iste spectantibus Calendis quorundam libet futurum; libere quiete plenarie integre
o imperpetuum; faciendo domino comiti de Lauder z heredibus suis predictis
ius superioris Baronie predicte cum pertinentiis servicia debita et consueta. Et ego
dus prenominatus terras dmidietatis superioris Baronie cum pertinentiis
per omnia ut supperiptum est contra omnes homines z feminas warantizabimus
in presenti carte mee sigillum meum apposui z ad maiorem huius rei securitatem
dicte predicte carte mee cum magna instancia regalis prudentiam apud Forfar
o quadringentesimo quinto decimo coram nobilibus z potentibus viris
domino comite de Douglas domino Johanne de Hamilton domino de le Rosse multis aliis
et cum multis aliis

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dedisse concessisse et hac presenti carta mea pro me et heredibus meis ac successoribus imperpetuum confirmasse carissimo amico meo Fergusio Kenedy domino de Bomunyne[1] pro suis benemeritis consilio et auxilio michi multipliciter impensis ac pro quadam certa pecunie summa quadraginta librarum bone et usualis monete auri et argenti regni Scocie michi in mea magna et urgente necessitate bene cognita pre manibus plenarie et integre persoluta totas et integras terras meas dimidietatis superioris Baronie predicte de Glenstenchere[2] cum pertinenciis jacentes in comitatu de Carric infra vicecomitatum de Are Tenendas et habendas omnes et singulas prenominatas terras predicte dimidietatis superioris Baronie de Glenstenchere cum pertinenciis predicto Fergusio et heredibus suis vel suis assignatis de domino comite de Carric et heredibus suis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis moris marresiis viis semitis aquis stagnis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupacionibus venacionibus et piscariis cum curiis eschetis et curiarum exitibus petariis turbariis et carbonariis lapide et calce[3] ac cum omnibus et singulis libertatibus commoditatibus et aisiamentis ac iustis pertinenciis quibuscunque ad predictas terras dimidietatis predicte superioris Baronie cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futuram libere quiete plenarie integre et honorifice bene et in pace sine aliquo retinemento vel revocamento imperpetuum Faciendo domino comiti de Carric et heredibus suis predictus Fergusius et heredes sui vel sui assignati de predictis terris dimidietatis superioris baronie predicte cum pertinenciis servicia debita et consueta.

Et ego vero predictus Johannes M'Gillelane et heredes mei omnes et singulas prenominatas terras dimidietatis superioris baronie predicte cum pertinenciis predicto Fergusio et heredibus suis vel suis assignatis in omnibus et per omnia ut suprascriptum est contra omnes homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte mee sigillum meum apposui et ad maiorem huius rei securitatem et notoriam evidenciam

[1] Bomunyne or Buckmonyn in the earldom of Lennox was granted to Gilbert de Carrick in 1290 by Malcom Earl of Lennox (Rymer's *Fœdera*, i. 3; *Chart. Lennox*, 70D), and Sir Gilbert Kennedy of Dunure granted it in 1393 to John son of Fergus Kennedy (*Hist. Acc. of the Kennedies*, p. 9).

[2] Lord Kennedy acquired this Upper Barony of Glenstyncher in 1450 (Paterson, ii. 325).

[3] "Coalpits, stone, and limestone." — (C. Innes).

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sigillum commune monasterii de Corsreguale predicte carte mee cum magna instancia apponi procuravi Apud Corsreguale decimo octavo die mensis marcii anno Domini millesimo quadringentesimo quinto decimo Testibus nobilibus et potentibus viris Alexandro Kenedy domino de Ardstenchere[1] Johanne de Cathkert domino eiusdem domino Johanne de Hamiltoun domino de la Rosse milite Johanne Kenedy de Dalfask Alexandro de Hamiltoun et Alano de Cathkert cum multis aliis.

ABSTRACT.

Charter by John M'Gillelane, son and heir of the deceased Ingram M'Gillelane, lord of the half of the Over Barony of Glenstyncher, commonly called Dalcarne, in favour of his very dear friend Fergus Kennedy, lord of Bonumyne, for his valuable counsel and help oftentimes given to the said John, and for the sum of forty pounds of good and usual money of gold and silver, of the kingdom of Scotland, fully paid to him in his great and urgent necessity, of all and whole the lands of the half of the Over Barony of Glenstyncher, in the earldom of Carrick and shire of Ayr: To hold of the Lord Earl of Carrick in fee and heritage for ever; doing therefor, the said Fergus and his heirs, the services due and wont. Dated and sealed with the granter's seal, and for greater security and notour evidence, with the common seal of the monastery of Crosraguel, procured by the said John with great instance, at Crosraguel 18th March 1415.

25. *The Abbot of Crosraguel Ambassador to Ireland.*—A.D. 1429.[2]

A parliament haldin at Perth the 6 of Marche this zeire. This zeire, Odo prince of Conaghte in Irlande sends Donald Balloches head to the King with his awin ambassador the Abbot of Corssreguall.[3]

[1] The first so designed in records. Pitcairn says that Hugh Kennedy, who was distinguished in the Battle of the Beaux in 1421, was of Ardstynchar (*Historie of the Kennedyis*, p. 80).

[2] Sir James Balfour's *Annals of Scotland*, vol. i. p. 159.

[3] Balfour is our sole authority for this. We know that on the flight of Donald Balloch to Ireland in 1429, Odo Prince of Connaught by secret treaty with James I., sent him the rebel chieftain's head. We may presume from this that the Abbot of Crosraguel was sent over on this mission. But Balfour is proverbially inaccurate (*Acts of the Parliament of Scotland*, ii. 20; Buchanan's *Hist.*, x. chaps. xxxiii.-iv.)

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26. *Indenture between Lord Kennedy and his Son, and Gilbert Kennedy of Bargany.*[1]

Indenture between Gilbert Lord Kennedy,[2] and John Kennedy his son, on the one part, and Gilbert Kennedy of Bergany[3] on the other part, agreeing to sundry marriage dowries,[4] etc.: by which they agree mutually to support one another, and in the event of a dispute they agree to refer to Lord Cathcart, Colin Abbot of Crosraguel,[5] Alexander Kennedy, and others. Dated 15th September 1465.

27.—*Renunciatio subsidii Roberti episcopi Glasguensis.*— [24*th September* 1487.][6]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno ab incarnatione Domini M°CCCC° lxxx° vii° die vero xxiiij mensis Septembris indictione quinta, pontificatus sanctissimi in Christo patris ac domini domini nostri Innocentii divina providentia pape octavi anno quarto, in nostrorum notariorum publicorum et testium subscriptorum presentia personaliter constitutus reverendus in Christo pater ac dominus Robertus Dei et apostolice sedis gratia episcopus Glasguensis,[7] ob amicitiam cordialem, caritatem et dilectionem et alia suam paternitatem moventia, palam asseruit suamque mentem ut infrascribitur exposuit et declaravit se contentum esse quod venerabilis in Christo pater Georgius abbas de Pasleto[8] et ejusdem loci conventus, ordinis Cluniacensis, Glasguensis diocesis, ac etiam religiosus vir Colinus abbas de Corsraguel cum cella sua, ejusdem diocesis, pertinenti dictis abbati et conventui,[9] ac

[1] *Culzean Muniments*, No. 92.

[2] Created first Lord Kennedy in 1456, appointed one of the six regents of the kingdom in 1466.

[3] Succeeded his father Thomas Kennedy, the first laird of Bargany, in 1460.

[4] The indenture was that David eldest son heir of John Kennedy should marry Marion daughter of Gilbert Kennedy of Bargany; and that Thomas, Gilbert's son, should marry Katherine, daughter of John Kennedy.

[5] I have not been able to ascertain what was this Colin's surname.

[6] *Registrum Monasterii de Passelet*, p. 349.

[7] Robert Blacader, 1484-1508, appointed first Archbishop of Glasgow *circa* 1498 (*Reg. Epis. Glas.*, *passim*).

[8] George Shaw, originally Rector of Mynto, Abbot of Paisley 1473-1498, who added greatly both to the spiritual and temporal welfare of his monastery, and erected many of the monastic buildings (v. *Reg. de Passelet*, pp. 84, 154, 351, etc.; and *Chamberlain Accounts*).

[9] Note here how the Abbey of Paisley reasserts its superiority over Crosraguel, and compare Nos. 3 and 41.

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eorum monasteria et loca cum suis libertatibus, immunitatibus et privilegiis, universis futuris temporibus integraliter et pacifice remanerent ita libere, quiete et honorifica pace sicuti tempore recolende memorie Andree olim episcopi Glasguensis et aliorum predecessorum suorum priscis temporibus remanserunt, suisque privilegiis, immunitatibus et libertatibus gavisi sunt, non obstantibus bullis apostolicis et processibus desuper fulminatis aliisque per ipsum reverendum patrem in contrarium habitis, et in Romana curia per eundem impetratis, super subsidii caritativi solutione, visitatione et procurationum exactione ac aliis impetrationibus quibuscunque: Quibuscunque impetrationibus et bullis omnibus ac processibus desuper fulminatis, in quantum prefatos abbatem de Pasleto et suum conventum ac abbatem de Corsragwel et suam cellam prefatis abbati et conventui pertinentem ac suos successores eorumque loca et monasteria seu privilegia ordinis Cluniacensis ac dirigationem eorundem quovismodo tangere viderentur, idem reverendus pater Robertus episcopus Glasguensis, ex sua mera liberalitate et pro bono pacis et concordie, expresse et voluntarie renunciavit: protestando tamen quod dicte sue bulle et impetrationes quo ad alios salve et illesse ac in suo robore permanerent. Super quibus omnibus et singulis dictus venerabilis pater Georgius abbas de Pasleto, pro se et suo conventu ac dicto abbate de Corsragwel et sua cella, a nobis notariis publicis infrascriptis petiit sibi fieri unum et plura publicum et publica instrumentum et instrumenta. Acta erant hec in ecclesia Glasguensi, loco capitulari ejusdem, hora xi ante meridiem vel eo circa, sub anno, die mense, indictione et pontificatu quibus supra: presentibus ibidem venerabilibus et circumspectis viris magistris Johanne Crechton precentore, Martino Wanne, cancellario, Gilberto Rerik archidiacono, Patricio Leythe canonico ac officiali Glasguensi et Ricardo Gybson notario publico, testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Aurifabri artium magister, in decretis bacallarius, presbiter Glasguensis diocesis, publiciis imperiali et regia auctoritatibus [notarius] (etc., in forma communi).

Et ego Johannes Reston, presbiter Glasguensis diocesis, etc.

Et ego Johannes de Thornton, Glasguensis diocesis presbiter, etc.

Abstract.

Notarial Instrument narrating that Robert Bishop of Glasgow compeared personally in presence of notaries public and other witnesses, in the chapter

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of the church of Glasgow, and openly declared that, on account of the hearty friendship, charity, and affection which animated him, he was content that George Abbot of Paisley and the convent of the same place, of the Cluniac order and diocese of Glasgow, and also Colin Abbot of Crosraguel, with his cell of the same diocese, pertaining to the said abbot and convent, and their monasteries and places, with their freedoms, immunities and privileges, should remain in all time coming, wholly and peaceably, as they remained in the time of Andrew formerly Bishop of Glasgow, and in the earlier times of his other predecessors, in regard to the payment of charitable subsidy, visitation, and exaction of the procurations, and other impetrations whatsoever, and should enjoy their privileges, immunities and freedoms, notwithstanding the apostolic bulls and processes fulminated thereon, and others held by the said bishop to the contrary, and impetrated by him in the court of Rome: which impetrations, bulls, and processes, in so far as they might seem in any way to touch the aforesaid Abbot of Paisley and his convent, and the Abbot of Crosraguel and his cell, their successors, places and monasteries, or the privileges of the Cluniac order, and the government thereof, the said reverend father, bishop of Glasgow, of his mere liberality, and for the good of peace and concord, expressly and willingly renounced: protesting, however, that the said bulls and impetrations, as to others, should remain whole and sound, and in proper force: whereupon, the said George Abbot of Paisley for himself and convent, and for the said Colin Abbot of Crosraguel and his cell, craved instruments from the notaries public, viz., Mr. John Goldsmith, John Reston, and John of Thornton: These things were done in the place aforesaid, at eleven o'clock before noon, on 24 September 1487, in presence of these witnesses, Mr. John Crichton, precentor, Mr. Martin Wann, chancellor, Gilbert Rerik, archdean, Patrick Leyth, canon and official of Glasgow, and Richard Gibson, notary.

27A. *The rebuilding of Crosraguel by Abbot Colin.*—[1480-90.][1]

Colinus abbas de Crosragmol. Cum ad ecclesiam jamdudum ab immani hostium furore dirutam et pene eversam animum adjecisset, effecit ut ingentes lapidum acervi hinc inde educti muris compingendis et miro ordine ad Templi restaurationem coaluerint; et ne quid operarum incuria

[1] Hay's *Scotia Sacra MSS.* in *Adv. Lib. Edinburgh*, p. 280.

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ad structuræ perfectionem deesset, ipse inter cæmentarios aliosque opificos, dies integros transigebat.[1]

Translation.

Colin abbot of Crosraguel, having set his heart on the restoration of his church, which had now been long in ruins from the fury of savage enemies, and was almost completely overturned, caused huge blocks of stone to be brought thither, and to be united for the repair of the sanctuary by strengthening the walls in an admirable style. And that no accuracy of detail should be wanting in the completion of the edifice he spent whole days amongst the masons and the other artisans.

28. *Instrumentum Abbatis et Conventus de Pasleto, inter eosdem et Magistrum David Cunyngham*[2] *decanum ruralem, ad instantiam eorum excitatum.*—[31*st January* 1489-90.][3]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Dominice incarnationis M°CCCC°lxxxix, die vero ultimo Januarii, indictione octava, pontificatus sanctissimi in Christo patris ac domini domini nostri Innocentii divina providentia pape octavi anno quinto, in mei notarii publici et testium subscriptorum presentia circumspectus clericus magister David Cwnygham, decanus ruralis[4] decanatus Christianitatis de Ruglen, equitans in visitatione dicti decanatus, veniens ad monasterium de Pasleto, Glasguensis diocesis, accessit personaliter ad portam dicti monasterii et petiit introitum et se cum familiaribus tunc ibidem secum existentibus in dicto monasterio recipi. Et interim comparuit discretus et religiosus vir dominus Johannes Mouss tunc camerarius dicti monasterii, missus a venerabili patre Georgio permissione divina abbate dicti monasterii de Pasleto et conventu ejusdem, ordinis Cluniacensis et diocesis Glasguensis antedicte, et asseruit, quod dicti

[1] For this account Father Hay has evidently drawn upon the Abbey Register, which must then have been in his possession. Many of the Abbey buildings are to be assigned to this date.

[2] Afterwards Official General of the diocese, Archdeacon of Argyll (v. *infra* No. 36).

[3] *Registrum Monasterii de Passelet*, p. 351.

[4] "The Rural dean's jurisdiction was made up of a delegation of the general pastoral authority of the Bishop and of the jurisdiction of the Archdeacon, which that judge exercised in its highest form in the *Curia Christianitatis* (Cosmo Innes' *Scotch Legal Antiquities*, p. 183).

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abbas et conventus noluerunt recipere ipsum decanum ratione visitationis aut ex debito, ex et pro eo quod ipsi abbas et conventus sunt exempti et privilegiati ab omni visitatione quorumcunque ordinariorum, et etiam ecclesie sue et loca ubilibet sunt constituta, ut clare patet intuentibus exemptiones et privilegia sua eis de huiusmodi visitationibus et multis aliis a diversis summis pontificibus indulta et concessa. Et sic dictus decanus, videns quod non poterat tunc recipi in dicto monasterio ratione visitationis, contentus extitit recipi in eodem ex favore dictorum abbatis et conventus. Super quibus omnibus et singulis supranotatis idem dominus Johannes Mouss a me notario publico infrascripto sibi fieri petiit ex parte dictorum abbatis et [conventus] unum seu plura publicum seu publica instrumentum seu instrumenta. Acta erant hec apud portam dicti monasterii, hora tertia post meridiem, sub anno die mense indictione et pontificatu supranotatis, presentibus ibidem probis et discretis viris, videlicet domino Roberto Quhytfurd[1] monacho ac tunc cellerario dicti monasterii, magistro Henrico Newton, domino Cuthberto Mulykyn et Johanne Makquhen layco, cum multis aliis testibus ad premissa vocatis specialiter et rogatis [Alexander Clugston, notarius].

ABSTRACT.

Notarial Instrument narrating that a circumspect clerk, Mr. David Cunyngham, rural dean of the deanery of the christianity of Ruglen, riding upon visitation of the said deanery, and coming to the monastery of Paisley, of the diocese of Glasgow, went personally to the gate of the said monastery and demanded admission, and that himself and the servants there present with him should be received in the said monastery: and that in the meantime there compeared a discreet and religious man, Sir John Mouss, then chamberlain of the said monastery, sent by a venerable man, George abbot thereof, and asserted that the said abbot and convent would not receive the dean by way of visitation or of right, because they were exempted from all visitation of whatsoever ordinaries, and also their churches and places wherever constituted, as was clearly evident to every one who looked at

[1] Most probably the Robert de Quintfort or Whitefoord who was elected Abbot of Crosraguel in 1491 (see No. 32 *infra*). The "cellarer" had more to do than his name implies. He was usually accountant and cashier as well (v. Dr. Lees' *Paisley Abbey*, p. 11; *Monasticon*, p. 13; C. Innes' *Scotch Legal Antiquities*, p. 170; and compare Nisbet's *Heraldry*, i. p. 235). "The oldest branch of this family [Whitefoord] is Whitefoord of Blairquhan, who took up his residence with his brother, who was Abbot of Crosraguel in the reign of King James IV."

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the exemptions and privileges granted to them by several chief pontiffs: and so the said dean, seeing that he could not be received in the said monastery by reason of visitation, was content to be received therein by the favour of the abbot and convent: upon all which the said Sir John Mouss craved instruments of Alexander Clugston, notary. These things were done at the gate of the monastery, at three o'clock afternoon, on 31st January 1489-90, in presence of Sir Robert Whytefurd, monk, and then cellarer of the said monastery, Mr. Henry Newton, Sir Cuthbert Mulykyn, and John Makquhen, laymen, with many other witnesses, specially called to the premises.

29. *Instrument of Resignation by Duncan Fergusson of Knokgarron, in favour of John Fergusson his Son, of the lands of Knokgarron and Alticaple.*—[27*th August* 1490.][1]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnacionis dominice millesimo quadringentesimo nonagesimo die vero mensis Augusti xxvij° indiccione octava pontificatus sanctissimi in Christo patris ac domini domini nostri Innocencii divini providencia pape octavi anno septimo in mei notarii publici et testium subscriptorum presencia personaliter constitutus Duncanus Fergusson de Knokgarrain[2] pureque ac simpliciter per fustem et baculum[3] a se sursum reddidit et imperpetuum resignavit ut moris est in manibus venerabilis in Christo patris Colini abbatis de Corsraguel et conventus eiusdem monasterii reverencia qua decuit omnes et singulas quadraginta solidatas terrarum suarum de Knokgarrain et Altycapill antiqui extentus cum suis pertinenciis quibuscunque jacentes in comitatu de Carrik et infra vicecomitatum de Are Ita quod sibi domino abbati et predicto conventui post huius resignacionem liceat de eisdem terris libere disponere Et precipue, in favorem Johannis Fergusson filii et heredis apparentis dicti Duncani si dignarentur sibi Johanni easdem terras hereditarie tribuere Super quibus vero omnibus et singulis sic premissis petiit predictus venerabilis pater hoc presens publicum instrumentum per me

[1] *Culzean Muniments*, No. 156.

[2] Little is known of the previous lairds of Knockgarron. It lies in Dailly parish, 2 miles south-east of Bargany, and comprised Ailsa Craig in its Barony.

[3] V. No. 16.

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notarium infrascriptum sibi fieri Acta erunt hec in loco capitulari[1] dicti monasterij hora xij[a] in meridie vel ea circa anno die mense indiccione et pontificatu quibus supra presentibus ibidem Johanne Fergusson fratre dicti Duncani Duncano Kirkpatrik Johanne Fergussoun filio dicti Duncani domino Thoma M^c^Ylhauche vicario de Gerwane[2] et Johanne Wischard filio et herede apparente Ade Wischard burgensis de Are cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego vero Andreas M^c^Cormyl[3] presbyter Glasguensis diocesis publicus imperiali auctoritatibus et regali notarius Quia predictarum terrarum resignacionem ceterisque omnibus et singulis dum sic ut premittitur dicerentur agerentur et fierent una cum prescriptis testibus interfui Eaque omnia et singula sic fieri scivi et audivi ac in notam cepi Ex qua hoc presens publicum instrumentum mea manu scriptum confeci signoque et nomine meis solitis et consuetis hic me subscribente signavi rogatus et requisitus in fidem et testimonium omnium premissorum. ANDREAS MAKCORMYL.

ABSTRACT.

Notarial Instrument upon the resignation by Duncan Fergusson of Knokgarron, by staff and baton in the hands of the venerable Colin Abbot of Crosraguel, and convent of the monastery thereof, with due reverence, of his forty shilling lands of Knokgarron and Altycaple, lying in the earldom of Carrick and shire of Ayr: So that it should be lawful to the said abbot and convent, after the resignation, to dispose freely of the said lands, and especially in favour of John Fergusson, son and apparent heir of the said Duncan, if they should please to bestow the said lands upon him. Done in the chapter-house of the said monastery, about noon, on the 27th day of August 1490, before these witnesses: John Fergusson, brother of the said Duncan, Duncan Kirkpatrick, John Fergusson son of the resigner, Sir Thomas M'Ilhauch, vicar of Girvan, and John Wishart, son and apparent heir of Adam Wishart, burgess of Ayr. Andrew M'Cormyl is notary.

[1] The first mention of the chapter-house.

[2] Girvan rejoiced in a vicar like Straiton and Ballantrae, who received part of the revenues, as settled by the Bishop of Glasgow. The Abbey provided only a curate or chaplain to the churches of Dailly and Kirkoswald (v. Paterson, vol. ii. and Chalmers iii. pp. 532-544).

[3] Vicar of Straiton.

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30. *Charter by Colin Abbot of Crosraguel, to John Fergusson and Agnes Kennedy his Wife, of the Lands of Alticaple and Knokgarron.*—[*27th August* 1490.][1]

Universis sancte matris ecclesie filiis ad quos presentes litere pervenerint salutem in Domino sempiternam. Sciatis nos Colinum permissione divina abbatem Monasterii de Corsraguel et eiusdem loci conventum dedisse concessisse et hac presenti carta nostra confirmasse necnon et dare concedere et hac presenti carta nostra confirmare dilectis nostris Johanni Fergusson filio et heredi apparenti Duncani Fergusson hereditarie et Agneti Kennedy sue sponse in coniuncto infeodamento ac eorum alteri diutius viventi et heredibus inter ipsos de corpore suo legitime procreatis seu eciam procreandis pro suis bene meritis nobis multipliciter impensis omnes et singulas quadraginta solidatas terrarum de Alticappell et Knockgarrane antiqui extentus cum pertinenciis jacentes in parochia sancti Michaelis de Daly in comitatu de Carrik et infra vicecomitatum de Are Quequidem terre cum pertinenciis prius fuerunt dicti Duncani Fergusson hereditarie Et quasquidem terras cum pertinenciis antedictus Duncanus non vi aut metu ductus nec errore lapsus seu dolo quovis circumventus sua mera et spontanea voluntate in manibus nostris et eiusdem loci conventus in loco nostro capitulari per fustem et baculum ut moris est sursum reddidit pureque et simpliciter resignavit imperpetuum Tenendas et habendas omnes et singulas prefatas quadraginta solidatas terrarum antiqui extentus cum pertinenciis prefato Johanni hereditarie et Agneti Kennedy sue sponse in coniuncto feodamento eorumque alteri diucius viventi et heredibus suis inter ipsos de corpore suo legitime procreatis seu eciam procreandis quibus forte deficientibus quod absit heredibus dicti Duncani quibuscunque de nobis et successoribus nostris in capite in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in viis semitis pratis molendinis multuris et eorum sequelis cum curiis eschaetis et eorundem exitibus herezeildis bludewitis et merchetis mulierum cum silvis moris marresiis cum pascuis et pasturis venacionibus aucupacionibus piscacionibus aquis stagnis fabrilibus brasinis pistrinis cum carbonibus carbonariis turbariis petariis vivariis et genestis cum lapide et calce cum libero introitu et exitu ac cum omnibus et aliis et singulis

[1] *Culzean Muniments*, No. 157

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libertatibus commoditatibus asiamentis ac justis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad antedictas terras spectantibus cum pertinenciis seu juste spectare valentibus quomodolibet in futurum adeo libere quiete plenarie integre honorifice bene et in pace sine aliquo retinemento aut obstaculo quocunque sicut dictus Duncanus aut aliquis predecessorum suorum predictas terras cum pertinenciis tenuit seu possedit tenuerunt seu possederunt aliquibus temporibus retroactis Reddendo inde annuatim dictus Johannes ac eciam Agnes sua sponsa eorumque alter diucius vivens et sui heredes inter ipsos de corpore suo legitime procreati seu procreandi quibus forte deficientibus quod absit heredes prefati Duncani quicunque nobis et successoribus nostris duodecim denarios usualis monete regni Scocie nomine albe firme [1] in festo sancti Michaelis archangeli in predicta ecclesia de Daly si petantur ac eciam viginti solidos bone et legalis monete annui redditus annuatim solvendos in festo Penthecostes et sancti Martini in hieme per equales portiones moderno conventui et suis successoribus imperpetuum in dicto pro annuali anniversario cum placebo dirige et missa in crastino bis in anno annuatim celebrando videlicet in crastino sancte Katherine virginis et in crastino apostolorum Philippi et Jacobi pro salute anime quondam famosi viri et bone memorie scilicet Magistri Fergusii Fergusson dudum ecclesiarum de Wanfra [2] et Kirkbride [3] rectoris et dudum earundem conquestoris Et pro suorum amicorum parentum benefactorum ac omnium fidelium defunctorum animorum salute una eciam cum tribus sectis ad tria placita capitalia in nostra curia de Corsraguell [4] Et hoc tantum pro omni alio onere exactione questione servicio seculari aut demanda que de dictis terris cum pertinenciis per quoscunque juste exigi poterint in futurum seu requiri Et nos vero predicti Colinus abbas et conventus ac eciam successores nostri dicti Monasterii antedictas quadraginta solidatas terrarum de Altycappil et Knokgarrayne antiqui extentus cum pertinenciis predicto Johanni et Agneti sue sponse et eorundem diucius viventi et heredibus suis inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus dicti Duncani quibuscunque in omnibus et per omnia ut premissum est contra omnes mortales warantizabimus acquietabimus et presentis carte tenore imperpetuum defendemus

[1] For other blench duties, v. note on No. 16.

[2] Wamphray, in Upper Annandale, near Moffat, among the Dumfriesshire hills.

[3] The old church of Kirkbride stood on the Urr, in the modern parish of Kirkpatrick Durham, Kirkcudbrightshire (*Imperial Gazetteer of Scotland*).

[4] For explanation of the Abbey court, v. *Introduction.*

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In cuius rei testimonium huis presenti carte nostre sigillum nostrum commune est appensum apud prefatum Monasterium vicesimo *sexto*[1] die mensis Augusti anno domini millesimo quadringentesimo nonagesimo coram hiis testibus Hugone Wallace de Smythistoun[2] Thoma Davidsone de Grenane[3] Johanne Davidsone dominis Thoma M'Kilhauch vicario de Gerwan Andrea M'Cormyll vicario de Stratoun ac notario publico Roberto Browniswald clerico cum multis aliis.

Abstract.

Charter by Colin Abbot of Crosraguel, and the convent of that place, in favour of John Fergusson, son and apparent heir of Duncan Fergusson, and Agnes Kennedy his spouse, in conjunct fee, and to the survivor of them, and the heirs procreated or to be procreated between them, of all and whole the forty shilling lands of Alticaple and Knockgarron, of old extent, in the parish of St. Michael of Dailly, earldom of Carrick and shire of Ayr; which lands formerly belonged in heritage to the said Duncan Fergusson, and were by him freely resigned in the hands of the abbot of the convent in the chapter-room thereof: To be held by the said John and Agnes, and their heirs aforementioned, whom failing (which God forbid!), by the heirs whomsoever of the said Duncan, of the granters and their successors in chief, in fee and heritage for ever, for the yearly payment to the abbot and convent of twelve pennies Scots money, in name of blench ferme, at the feast of St. Michael the archangel, in the church of Dailly, if required: And also of twenty shillings good and legal money of annualrent, to be paid at the feasts of Whitsunday and Martinmas in winter, by equal portions, to the present convent and to their successors for ever, for an anniversary to be celebrated yearly, twice in the year, with *placebo*, *dirige*, and morning mass, to wit, on the mornings of St. Katherine the virgin and of the apostles Philip and James, for the weal of the soul of a sometime famous man and of good memory, namely, Mr. Fergus Fergusson, lately rector of the churches of Wamfray and Kirkbride, and sometime conquæstor of the same; and for the weal of the souls of their friends, relations, bene-

[1] So in *copy*; but should be 'septimo.'

[2] One mile W.S.W. of Cassillis, afterwards the property of a Kennedy (*Retours*).

[3] Greenan near Ayr, the lands having been feued to John Davidson father to this Thomas, and Esquire to John, Lord of the Isles, in 1475. It remained with the Davidsons until 1572, when it was sold to one Reid, and subsequently acquired by the Earl of Cassillis (Paterson, ii. 435; *Culzean Muniments*, and Mason's *Notes*).

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factors, and of all the faithful dead; together with three suits at the three head pleas in the granter's court of Crosraguel; and this only for every other burden, exaction, asking, secular service, or demand which might be justly exacted or required by any from the said lands. Dated at the foresaid monastery, and sealed with the common seal thereof, on 27th August 1490, before these witnesses: Hugh Wallace of Smythstoun, Thomas Davidson of Grenan, John Davidson, Sirs Thomas M'Ilhauch, vicar of Girvan, Andrew M'Cormyll, vicar of Straiton and notary public, Robert Brownswald, clerk, with many others.

31. *Precept by Colin Abbot of Crosraguel for infefting John Fergusson and his Wife in the lands of Alticaple and Knockgarron.*—[29*th August* 1490.][1]

Colinus divina paciencia abbas monasterii de Corsraguel et conventus eiusdem dilectis nostris domino Johanni Cathkert de Carltoun militi, Hugoni Kennedy, Gilberto M'Cormyll, Jacobo Bard, et Johanni Fergussoun, coniunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem Quia dedimus et concessimus hereditarie Johanni Fergussoun filio et heredi Duncani Fergusson hereditarie et Agneti Kennedy sue sponse in coniuncto infeodamento eorumque alteri diucius viventi et heredibus inter ipsos legitime procreatis seu procreandis quibus forte deficientibus heredibus dicti Duncani quibuscunque quadraginta solidatas terrarum antiqui extentus de Altycappil et Knokegarrayne cum pertinenciis jacentes in comitatu de Carric et infra vicecomitatum de Are Quequidem terre prius erant prefati Duncani hereditarie Et quas vero terras cum pertinenciis antedictus Duncanus in manibus nostris in nostro loco capitulari pure et simpliciter resignavit et sursum reddidit imperpetuum. Quare vobis precipimus et firmiter mandamus coniunctim et divisim quatenus visis presentibus indilate statum et saisinam realem et corporalem possessionem omnium et singularum terrarum cum pertinenciis predicto Johanni et Agneti sue sponse vel suis certis actornatis latoribus presentium deliberetis et haberi faciatis secundum tenorem carte sue quam de nobis inde habet Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim nostram plenariam ac irrevocabilem tenore presencium committimus facultatem. Scriptum sub

[1] *Culzean Muniments*, No. 158.

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nostro sigillo communi apud prefatum nostrum monasterium xxix° die mensis Augusti anno Domini M°CCCC° nonagesimo.

ABSTRACT.

Precept by Colin Abbot of the Monastery of Crosraguel, and the convent thereof, addressed to Sir John Cathcart of Carleton, knight, Hugh Kennedy, Gilbert McCormyll, James Baird, and John Fergusson, conjunctly and severally, as their bailies in that part, for infefting John Fergusson, son and heir of Duncan Fergusson, heritably, and Agnes Kennedy his spouse, in conjunct infeftment, and the survivors of them, and the heirs lawfully begotten or to be begotten between them, whom failing, the heirs of the said Duncan whatsoever, of the forty shilling lands of Alticaple and Knockgarron, resigned in the granter's hands by the said Duncan. Dated and sealed with the common seal of the monastery on 29th August 1490.

32. *Consistorial Act relating to the election of Robert Whyteford to the Abbacy.*—[*7th November* 1491.][1]

Consistorial Acts.

Corsraguel: 1491. Nov. 7.

"Robert de Quintfort.[2] Die 7° Nov. 1491, referente Card: Alerien. S. D. N. providit de persona Fratris Roberti de Quintfurt, B. Marie de Corsraguel, Glasguen. diocesis, vacanti per obitum D^ni Colini, illius ultimi possessoris extra Romanam curiam defuncti."—Vatican.

34. *Charter by Robert, Abbot of Crosraguel, to John Fergusson, of a portion of the Lands of Alticaple.*—[*Dated* 26*th May* 1492.][3]

Universis sancte matris filiis ad quorum noticias presentes litere pervenerint salutem Sciatis nos Robertum paciencia divina monasterii de Corsraguel et eiusdem loci conventum dedisse concessisse et hac presenti carta nostra confirmasse necnon per presentes dare concedere et hac presenti

[1] *Episcopal Succession in England, Scotland, and Ireland,* 1400-1875, by W. Mazière Brady. Rome, 1877. Vol. i. p. 170.

[2] V. note on No. 28.

[3] *Culzean Muniments,* No. 161.

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carta nostra confirmare dilecto nostro Johanni Fergusson filio et heredi apparenti Duncani Fergusson de Knokgarrayne et heredibus pro suis benemeritis nobis multipliciter impensis totam et integram dimidiam mercatam terrarum de Altycappill antiqui extentus cum pertinenciis propius et vicinius adiacentem terris de Knokgarrain ex parte occidentali earundem jacentem in parochia de Daly in comitatu de Carrick et infra vicecomitatum de Are Quequidem terre cum pertinenciis prius fuerunt Dougalli Makcuben de Trewdunnak hereditarie et quasquidem terras cum pertinenciis idem Dougallus non vi aut metu ductus nec errore lapsus seu dolo circumventus set sua mera et spontanea voluntate utilitateque sua prius visa et pensata per suum procuratorem ad hoc specialiter constitutum vigore autentici instrumenti procuratoria forma instrumenti ceterisque legitimis aliis documentis per fustem et baculum in manibus dudum famose memorie Colini predecessoris nostri abbatis eiusdem monasterii et conventus eiusdem in loco capitulari sursum reddidit pureque et simpliciter a se et suis heredibus resignavit imperpetuum Et prout tenore et serie unius instrumenti resignacionis earundem nobis clare innotescit et luculenter constat Tenendam et habendam antedictam dimidiam mercatam terre de Altycappill antiqui extentus cum pertinenciis prefato Johanni Fergussoun heredibus suis et assignatis de nobis et nostris successoribus in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in boscis planis moris marresiis viis semitis aquis stagnis rivulis pascuis pasturis molendinis multuris et earum sequelis aucupacionibus venacionibus piscacionibus petariis turbariis carbonariis brueriis et genestis silvis pratis virgultis lapide et calce fabrinis pistrinis brasinis cum curiis et eorum exitibus amerciamentis bludewitis herezeldis et merchetis mulierum cum communi pastura et libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus asiamentis ac justis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam sub terra quam supra terram tam prope quam procul ad dictas terras cum pertinenciis spectantibus seu jure spectare valentibus quomodolibet in futurum adeo libere quiete plene integre honorifice bene et in pace sine aliquo retinemento vel obstaculo quocunque sicut dictus Dougallus vel aliquis predecessorum suorum antedictas terras cum pertinenciis tenuit seu possedit tenuerunt seu possederunt Faciendo inde annuatim dictus Johannes heredes sui et assignati nobis et nostris successoribus de illa parte terre proporcionaliter seruicium debitum et consuetum de terris de Altycappill prius totaliter existentibus dicti

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resignantis tantum pro omni alio onere exaccione questione servicio seculari sive demanda que de dicta dimidia mercata terre cum pertinenciis per quoscunque iuste exigi poterint in futurum seu requiri Et nos vero antedictus Robertus abbas et conventus eiusdem loci et successores nostri prefatam dimidiam mercatam terre de Altycappill antiqui extentus cum pertinenciis dicto Johanni Fergussoun heredibus suis et assignatis in omnibus et per omnia ut predictum est contra omnes mortales warantizabimus acquietabimus et presentis carte tenore imperpetuum defendemus In cuius rei testimonium huic presenti carte nostre sigillum commune est appensum apud prefatum monasterium vicesimo sexto die mensis Maii testibus Johanne Kennedy de Culzane[1] Georgeo Kennedy de Atyquyn[2] Georgeo Craufurd Thoma Kennedy Johanne Fergussoun Fergusio Fergussoun circumspectis viris et clericis magistris David Blair et Roberto Mure prebendariis collegii de Mabole anno domini millesimo quadringentesimo nonagesimo secundo Sequuntur subscriptiones abbatis et conventus Robertus abbas de Corsraguel Et ego Johannes Losk concedo ad omnia in litera contenta Jacobus Kirkpatrick manu propria Et ego Matheus Thomsoun manu propria Mauricius M'Ewyn manu propria David Chalmer manu propria, etc.

Abstract.

Charter by Robert Abbot of Crosraguel, in favour of John Fergusson, son and apparent heir of Duncan Fergusson of Knokgarran, for his good services abundantly rendered, of all and whole a half mercate of the lands of Altycaple, of old extent, next adjacent to the lands of Knokgarran, on the west side thereof; lying in the parish of Dailly, earldom of Carrick and shire of Ayr: which lands formerly belonged to Dougal MacCuben of Trewdonnak, and were resigned by him, by staff and baton, into the hands of Colin of famous memory, sometime abbot of the said monastery: To hold of the abbot and convent in fee and heritage, for the service due and wont. Dated at the monastery of Crosraguel 26th May 1492.

[1] The first of the Kennedies of the Cove or Culzean was John, second son of Sir Gilbert Kennedy of Dunure, grandfather of this witness.

[2] Situated 2 miles east of Maybole.

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35. *Decision by the Lords Auditors in the Action by the Abbot of Crosraguel against Thomas Kennedy of Bergany.*—[26*th June* 1493.][1]

26 June 1493. Anent the actioun and cause persewit be the abbot and convent of Corsragwell aganis Thomas Kennydy of Bergany for the wrangwis uptakin and withhalding fra the said abbot of the teynd schaiffis of the Manys of Gervane of v yeris bigane, extending to xij chalderis and viij bollis of mele and ber as wes allegiit, and of the teynd schavis of the Manys of Bergany of twa yeris bigane, extending in the hale to xxviij bollis of mele and ber as wes likewise allegiit, and for costis and scathis baith the saidis partiis beand present be thaimeself and the procuratouris, it wes allegiit be the procuratour of the said Thomas that the said teyndis of Gervane wer pait, except five chalderis and that the Lord Kennydy suld werrand him anent the said five chalderis and alse anent the said teyndis of Bergany The Lordis therfore ordinis him to haf lettrez to call his said werrand agane the viij day of October nixt tocum with continuation of days, and assignis the samyn dais with continuation of dais to the said Thomas to preif the payment of the remanent of the said vitales of Gervane, and ordinis him to haf lettrez to summond his witnes and the partiis ar summond apud acta, and contenewis the said matter in the meyntyme but preiudice of partij.

ABSTRACT.

Decision by the Lords Auditors of Causes and Complaints in the action raised by the Abbot of Crosraguel against Thomas Kennedy of Bergany for the wrongous uptaking of the teind sheaves of the Mains of Girvan and Bargany, ordaining Thomas Kennedy to call his warrant again on the 8th of October next. 26th June 1493.

36. *Decreet of Transumpt by the Official of Glasgow, of two Charters* (*Nos.* 30 *and* 34 ante), *obtained at the instance of John Fergusson.* —[12*th December* 1500.][2]

In Dei nomine, Amen: Universis et singulis presentes literas siue presens publicum instrumentum inspecturis lecturis pariter et audituris David

[1] *Acta Dominorum Auditorum*, p. 183.

[2] *Culzean Muniments*, No. 172.

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Cunynghame archidiaconus Ergadiensis prepositus ecclesie collegiate de Hamyltoun[1] ac officialis Glasguensis generalis[2] salutem in Domino sempiternam Noveritis quod nos ad instanciam probi viri Johannis Fergussoun filii et apparentis heredis Duncani Fergussoun de Knokgarrain ad videndum et audiendum quasdam cartas per venerabiles in Christo patres Colinum permissione divina quondam abbatem monasterii de Corsraguell et Robertum eadem permissione olim abbatem dicti monasterii ac conventum eiusdem dicto Johanni factas sigilloque communi dicti monasterii et subscripcionibus manualibus dictorum abbatum et conventus roboratas et subscriptas transsumi copiari exemplari et in publicam transsumpti formam redigi mandari decretumque et auctoritatem nostram ordinariam desuper interponi omnes et singulos coniuncte vel divisim sua interesse habentes seu habere putantes per literas nostras patentes ad instar edictorum publicorum in valvis ecclesie metropolitane Glasguensis die quadam solempni publice affixas ut moris est peremptorie ad certum terminum competentem horam diem et locum inferius videlicet designatum citari fecimus cum intimacione quod siue in huismodi citacionis termino comparere curavissent sive non nos nichilominus ad dictas cartas transsumendum copiandum exemplandum et in publicam transsumpti formam redigendum prout iustum foret ad dicti Johannis instanciam procederemus ipsorum sic citatorum absencia seu contumacia non obstante quibuscunque Tenor vero literarum nostrarum et mandati sequitur in hunc modum Mandat dominus officialis Glasguensis citari tenoreque presentis scripti per edictum publicum in valvis huius ecclesie metropolitane Glasguensis tanquam in albo pretoris affixum citat omnes et singulos sua coniuncter vel divisim ad infrascripta interesse habentes seu habere putantes quod compareant coram eo eiusve commissariis pluribus aut uno in hac ecclesia metropolitana Glasguensi loco consistoriali eiusdem die sexta post diem affixionis presentis edicti in valvis dicte ecclesie si dies ipsa iuridica sin autem proxima die iuridica inde sequenti hora causarum consueta ante meridiem ad videndum et audiendum unam cartam[3] confectam per quondam Robertum permissione divina abbatem

[1] Founded in 1462 by the first Lord Hamilton, for a provost and eight prebendaries. George de Graham was the first provost (Hamilton of Wishaw's *Acc. of Lanarkshire*, and *Hamilton Papers*).

[2] In the dioceses of St. Andrews and Glasgow, the jurisdiction of the Bishop in law as well as practice in the Episcopal Court was administered by the "Official General," instead of the Archdeacon. The greater part of the law business of Scotland, both civil and ecclesiastical, came before the courts of these officials (v. *Scotch Legal Antiquities*, p. 181).

[3] No. 30 *supra*.

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monasterii de Corsraguel et eiusdem loci conventum sigillo eorundem communi roboratam factam Johanni Fergussoun filio et heredi apparenti Duncani Fergussoun de Knokgarrane et heredibus suis super una dimidia mercata terrarum de Alticapill antiqui extentus cum pertinentiis propius et vicinius adiacente terris de Knokgarrane ex parte occidentali earundem jacente in parochia de Daly et comitatu de Carrik et infra vicecomitatum de Ayr Et similiter unam aliam cartam[1] confectam per quondam Colinum permissione divina dicti monasterii de Corsraguel abbatem et eiusdem loci conventum sigillo eorundem communi roboratam factam hereditarie dicto Johanni Fergusoun et Agneti Kennedy sue sponse in coniuncto feodamento et eorum alteri diucius viventi et heredibus inter ipsos de corpore suo legitime procreatis seu procreandis super quadraginta solidatis terrarum de Alticappill et Knokgarrane antiqui extentus cum pertinenciis jacentibus in parochia sancti Michaelis de Daly in comitatu de Carrik et infra vicecomitatum de Ayr, etc., transsumi copiari publicari ac prefati domini officialis auctoritate aut suorum commissariorum plurium aut unius in publicam transsumpti formam redigi mandari Cuiquidem transsumpto ad futuram rei memoriam tanta et talis fides poterat adhiberi sicut ipsis literis originalibus si in medium producerentur et hoc ad instanciam dicti Johannis Fergussoun vel ad opponendum verbo aut scriptis si quid opponere velint quare predicte carte ut premissum est transsumi copiari et publicari non deberent cum intimacione publica et expressa quod siue ipsi sic citati dictis termino et loco comparere curaverint sive non Et nichil contra premissa apposuerint prefatus dominus officialis aut eius commissarii ad dictas cartas ut premissum est transumendum et copiandum procedent seu procedet justicia mediante Ipsorum sic citatorum absencia seu contumacia in aliquo non obstante Datum sub sigillo officii officialatus dicti domini officialis apud Glasgw die quinto mensis Decembris anno Domini, etc., quingentesimo In quibusquidem hora die et loco comparens coram nobis pro tribunali sedentibus venerabilis vir dominus Robertus Ross archipresbyter de Dunbar procurator et procuratorio nomine dicti Johannis Fergussoun de cuius procurationis mandato legitimo constabat documento predictas literas citatorias debite executioni demandatus nobis presentavit Quibus de mandato nostro receptis et publice perlectis vocatisque diversis vicibus omnibus et singulis in eisdem citatis et minime in oppositum comparentibus Idem dominus Robertus nomine procuratorio quo supra ipsorum sic citatorum vocatorum et non

[1] No. 34 *supra.*

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comparencium contumacias accusavit quos contumaces per nos decerni debita cum instancia postulavit et in penam contumacie eorundem duas cartas quarum tenores inferius sunt inserte exhibuit ipsasque cartas transsumi copiari exemplari et in publicam transsumpti formam redigi cum interposicione decreti quod huiusmodi transsumpto tanta fides in iudicio et extra daretur sicut ipsis cartis originalibus data sit et adhibita seu daretur et adhiberetur si in medium producerentur Post quarum quidem cartarum exhibitionem nos David Cunynghame officialis supra dictus dictos citatos vocatos non comparentes contumaces prout cuncto erant decernimus et in penam contumacie eorundem dictas cartas recepimus vidimus auscultavimus palpavimus diligenterque examinavimus et inspeximus et per notarios publicos infrascriptos publice perlegi fecimus Et quia post diligentem auscultacionem inspectionem et examinacionem huiusmodi cartarum in pergameno scriptarum sigillo communi dicti monasterii et subscriptionibus dicti abbatis et conventus roboratarum et subscriptarum ut premissum est eas fore sanas et integras non viciatas non cancellatas non abrasas non abolitas nec in aliqua sui parte suspectas set omni prorsus vicio et suspicione carentes comperimus ipsasque ad prefati procuratoris instanciam et requisicionem per subscriptos notarios publicos transsumi copiari exemplari et in publica transsumpti formam redigi ad futuram rei memoriam mandavimus et jussimus pariter et decernimus Quarumquidem cartarum tenores sequuntur de verbo ad verbum Universis, etc. (as in No. 30, except that there is added at the end this clause: "Sequuntur subscripciones dicti abbatis et conventus Ego Colinus abbas consentio et ratifico antedictam teste manu propria Ego Jacobus Kirkpatrik consentio et ratifico antedictam teste manu propria Ego Mauricius M'Ewyn consentio et ratifico antedictam teste manu propria Ego Nicolaus M'Lewill consentio et ratifico antedictam teste manu propria Ego Matheus Thomsoun manu propria Ego dompnus David Chalmer consentio et ratifico antedictam teste manu propria.") [Then follows No. 34, the copy of which is made from this transumpt.] Post que omnia et singula suprascripta nos David Cunynghame officialis antedictus presens transsumptum siue instrumentum publicum cum cartis originalibus prescriptis diligenter auscultari et collacionari fecimus Et quia post diligentem auscultacionem examinacionem et collacionem comperimus presens transsumptum cum ipsis cartis originalibus prescriptis in omnibus et per omnia concordare et in nullo discrepare ad instanciam dicti domini Roberti procuratores dicti Johannis Fergussoun auctoritate ordinaria

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qua fungimur in hac parte decrevimus et presencium per tenorem decernimus quod presenti transsumpto sive instrumento publico detur et adhibeatur plena fides in judicio et extra et ubique locorum necnon talis et tanta qualis et quanta ipsis literis originalibus prescriptis data sint et adhibita ac daretur et adhiberetur si in medium in ipsorum originali forma producerentur In quorum omnium et singulorum fidem et testimonium premissorum presentes literas seu hoc presens publicum instrumentum sive transsumptum per notarios publicos subscriptos de mandato nostro desuper publicato subscribi et publicari sigillique officii nostri jussimus et fecimus appensione communiri Datum et actum in ecclesia metropolitana Glasguensi antedicta loco sessionis nostre ad iudicia reddendum solito et consueto duodecimo die mensis Decembris anno Domini millesimo quingentesimo indiccione . . . (*sic*) pontificatus sanctissimi in Christo patris et domini nostri domini Alexandri divina providencia pape sexti anno . . . (*sic*) presentibus circumspectis et discretis viris magistris et dominis Laurencio Wallace Jacobo Neilsoun Willelmo Blak Johanne Pariss David Brountoun presbyteris et Gilberto Benyng clerico cum diversis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Johannes Bigholme presbyter Sanctiandree diocesis, etc.

Et ego Martinus Graham presbyter Glasguensis diocesis, etc.

Et ego Willelmus Kennide artium magister ac presbyter Glasguensis diocesis, etc.

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ABSTRACT.

Decreet of transumpt obtained at the instance of John Fergusson, son and apparent heir of Duncan Fergusson of Knokgarron, by means of Sir Robert Ross, archpresbyter of Dunbar, as procurator for the said John, from David Cunynghame, archdean of Argyll, provost of the collegiate church of Hamilton, and official-general of Glasgow, of two charters (Nos. 30 and 34, *ante*), with all the usual formalities. Done in the metropolitan church of Glasgow, in the place where the said David usually sat to deliver judgment, on 12th November 1500.

37. *Precept by David Abbot of Crosraguel for infefting John Fergusson in the land of Altichapel.*—[*2d November* 1501.][1]

David permissione divina abbas monasterii de Corsraguell et conventus eiusdem dilectis nostris Dugallo M'Crynnyll Duncano Kennedy Gilbert M'Cormyll et Johanni Cauldwell ballivis nostris in hac parte specialiter deputatis salutem Quia dedimus et concessimus hereditarie dilecto et fideli nostro Johanni Fergusson totam et integram dimediam mercatam terrarum antiqui extentus de Alticapyll Quequidem terre fuerunt de terris Dugalli M'Cuben cum pertinenciis jacentem in parochia de Daly in comitatu de Carryk infra vicecomitatum de Are Vobis igitur precepimus et mandamus quatenus vos aut unus vestrum visis presentibus sine dilacione dicto Johanni statum et sasinam hereditariam per tradicionem terre et lapidis ut moris est super solum dictarum terrarum haberi faciatis secundum tenorem carte nostre dicto Johanni et heredibus suis inde confecte Quod ad faciendum vobis et vestram cuilibet coniunctim et divisim ballivis nostris supra dictis nostram plenariam per presentes committimus potestatem In cuius rei testimonium nostrum sigillum commune presentibus est appensum apud monasterium nostrum de Corsraguell secundo die mensis Novembris anno Domini millesimo quingentesimo primo coram hiis testibus Jacobo Kennedy de Row[2] Roberto Mure et Willelmo Maxwell.

[1] *Culzean Muniments*, No. 176.

[2] Son of Gilbert Lord Kennedy, and first Laird of Baltersan, the ruins of which are still to be seen. He married Egidia Blair of that Ilk, whose will is given *infra*, No. 55.

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ABSTRACT.

Precept by David Abbot of Crosraguel, addressed to Dugald M'Crinnyll, Duncan Kennedy, Gilbert M'Cormyll, and John Caldwell, his bailies in that part, for infefting John Fergusson in all and whole the half merk land of old extent of Alticapel, in the parish of Dailly and earldom of Carrick, and which was part of the lands of Dugald M'Cubin. Dated at Crosraguel 2d November 1501. Witnesses: James Kennedy of Row, Robert Mure, and William Maxwell.

38. *Decree by the Lords of Council in an action by Abbot David against John Hamilton.*—[12*th March* 1505.][1]

In the action and caus persewit be ane venerabill fadir in God David Abbot of Corsragwell and the convent of the sammyn aganis Johne Hammiltoun for the wrangwis occupiing of foure dwelling-houssis ane smyddy ane orchard and ane yarde with the pertinentis liand at the abbay yete of Corsragwell, like as at mair lentht is contenit in the summondis thairupon. Thairupon the said venerabill fadir and Johne Hammyltoun being personaly present for themeself and als the said venerabill fadir as procuratour for his said convent thair rychts ressounes, etc. The Lordis of Counsale decretis and deliveris that the assedatioun maid to the said Johne of the forsaid hous smedy orchart and yarde be ressoun of the quhilk he claimis to brouke and occupy the sammyn is and sall be of nane avale in tyme tocum becaus the said hous smedy orchard and yarde ar within the yettis and umgang and wallis[2] of the said abbay and als becaus the said assedatioun was maid to the said Johne for all the dais of his live without solempnite of the law requirit thairto And thairfoir with consent of the said venerabill fadir ordanes him to remane still in the said hous smedy orchard and yarde on to the nixt terme of Witsonday, and thaireftir to remufe thairfra at the will of the said venerabill fadir, and ordanis our soverane Lordis lettrez to be direct thairupon in dew forme as efferis.

[1] *Acta Dominorum Concilii*, vol. xvi. fol. 206.

[2] The Abbey precincts extend to eight acres, and are now leased to Sir James Fergusson of Kilkerran by the Dean of the Chapels Royal. The wall was standing until the present century, and was pulled down to build a farmhouse in the neighbourhood.

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39. *Abbas de Pasleto.*—[*3d September* 1509.][1]

Die Lune, 3° Septembris, anno quingentesimo ix°, indictione xij., pontificatus Julij 2di anno sexto, et regni Jacobi quarti anno xxij. Reverendissimus pater, Jacobus[2] Glasguensis archiepiscopus, coram presidente et capitulo ad sonum campane, etc., dixit et declaravit se esse contentum, Robertum et David, Dei patientia, abbates de Pasileto et Crosraguell, et suos successores, Cluniacensis ordinis, diocesis Glasguensis, et sua loca et monasteria, remanere in eadem libertate, et eisdem privilegiis, exemptionibus, immunitatibus gaudere infuturum, sicuti remanserunt et gavisi sunt tempore archiepiscopi Roberti,[3] et episcopi Andree, et suorum predecessorum; et renunciavit expresse omnibus bullis, impetratis super subsidii caritativi exactione, visitatione, procuratione, quo ad dictos abbates et loca et suos successores, cum protestatione quod dicte bulle remaneant illese et salve et in suo robore quo ad alios: Petiit idem abbas de Pasileto instrumenta: Acta in loco capitulari, hora decima ante meridiam: testibus, magistris et dominis Thoma Murhede, Adam Culquhoun, Johanne Gibsoun, Roberto Fawside, Roberto Clerk, Andrea Marschell, Jacobo Steward, Alexandro Hamiltoun, Willelmo Steward, rectore de Lochmabane, Thoma M'Clellan, Patricio Coventre, et Davide.

ABSTRACT.

Instrument on the declaration by James archbishop of Glasgow, before the president and chapter, that he was content that Robert and David, abbots of Paisley and Crosraguel, and their successors of the Cluniac order, in the diocese of Glasgow, should continue in the same liberty, and enjoy the same privileges, exemptions, and immunities, in time to come, as they enjoyed in the time of Archbishop Robert and Bishop Andrew and their predecessors; and on his express renunciation of all bulls obtained respecting the exaction of charitable subsidies, visitation and procuration, as far as concerned the said abbots and their places and successors; protesting, however, that the said bulls should remain in full force with reference to others. Done in the chapter-house 3d September 1509.

[1] *Diocesan Register of Glasgow*, vol. ii. p. 305.

[2] James Beaton, afterwards Archbishop of St. Andrews and Primate.

[3] V. No. 27 *supra*.

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40. *Facultas concessa ab Andrea Archiepiscopo Sanctiandree, legato a latere, de non visitando Monasterium de Pasleto nec quicquid aliud eidem subjectum.*—[*5th February* 1515.][1]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum, quod anno incarnationis dominice M°CCCCC°xv°, mensis vero Februarii die quinto, indictione quarta, pontificatus sanctissimi in Christo patris et domini nostri domini Leonis divina providentia pape decimi anno tertio, in mei notarii publici et testium subscriptorum presentia personaliter constitutus reverendissimus in Christo pater et dominus dominus Andreas[2] Dei et apostolice sedis gratia archiepiscopus Sanctiandree, totius regni Scotie primas et apostolice sedis suprascripte legatus natus cum potestate legati de latere, a sanctissimo domino nostro papa ejusque sacrosanctor sede apostolica ad Regem et regnum Scotie nuntius specialiter destinatus, exposuit qualiter [per] prefatum summum pontificem ad omnia monasteria tam exempta quam non exempta visitanda, excessusque et enormitates fratrum inibi commorantium castigandos infra prefatum regnum sibi specialis fuit concessa facultas; et quod vicesimo quinto Januarii ultimo elapsi, in villa de Leth, venerabilem in Christo patrem Robertum permissione divina abbatem monasterii de Pasleto, ipsum monasterium, monachos, eorumque servitores et familiares, ac monasterium de Corsraguell ab ipso monasterio de Pasleto dependens, et religiosos ibidem degentes, et ecclesias dictis monasteriis pertinentes et subjectas, de hujusmodi facultate exonerare promisit et re vera ut asseruit exoneravit; et coram me notario publico et testibus infrascriptis prefatus reverendissimus in Christo pater memoratam suam permissionem et exonerationem ratam habuit, approbavit et confirmavit, et ex sua certa scientia, motu proprio ut asseruit et ob singularem favorem quem gerit erga prelibatum venerabilem in Christo patrem et alias quam plurimas gratitudines sibi multiphariam impensas, ipsum venerabilem in Christo patrem ac monasteria et monachos, eorumque servitores et familiares et ecclesias de Pasleto et Corsraguel antedictas, tenore presentis publici instrumenti de prescripta facultate exoneravit et quiete clamavit; promittens, obligans fide media se firmiter

[1] *Registrum Monasterii de Passelet*, p. 357.

[2] Andrew Forman, 1514-22. An eminent scholar and administrator (v. Lyon's *Hist.* i. 255; *Stat. Ecc. Scot.* clxxxviii.; Dr Gordon's *Scotichronicon*, i. 245).

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nullatenus in contrarium devenire, nec dictum monasterium de Corsraguel, monachos ac familiares et servitores eorundem, ac ecclesias dictis monasteriis subjectas visitare aut reformare, procurationes aut subsidium ratione visitationis aut quocunque alio modo, titulo vel causa ab illis seu eorum aliquo per se, commissarios delegatos vel aliam quamvis intermediam personam, petere vel exigere aut privilegiis sibi concessis quoquomodo in premissis locis uti, nisi accedente expresso consensu dicti Abbatis. Et quod premissa expresse renuntiavit omnibus et singulis privilegiis sibi concessis ac si de verbo in verbum in presenti instrumento inserentur. Super quibus omnibus et singulis prefatus venerabilis in Christo pater a me notario publico subscripto sibi fieri petiit hoc presens publicum instrumentum. Acta erant hec in camera hospicii memorati reverendissimi in Christo patris infra burgum de Edinburgh, ex parte boreali vici regii ejusdem situati, hora circa quartam post meridiem, sub anno, die, mense, indictione et pontificatu quibus supra; presentibus ibidem probis et discretis viris, Hugone Moncrefe, Magistro Johanne et Niniano Douglas, cum universis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego magister Johannes Chepman Glasguensis diocesis, publicus apostolica auctoritate notarius, quia premissis omnibus et singulis dum sic ut premittitur agerentur, dicerentur et fierent, unacum prenominatis testibus, presens et personaliter interfui, eaque omnia et singula sic fieri vidi et audivi ac in notam sumpsi, ideo hoc presens publicum instrumentum manu mea propria conscriptum inde confeci, subscripsi et publicavi, signoque, nomine et subscriptione meis solitis et consuetis signavi, rogatus et requisitus, in fidem et testimonium veritatis omnium et singulorum premissorum.

(Signed) M. Johannes Chepman.

Abstract.

Notarial Instrument, certifying that on the 5th day of February 1515, and 3d year of Pope Leo the Tenth, in presence of the notary and witnesses, personally compeared a most reverend father in Christ and lord Andrew by the grace of God and of the apostolic see archbishop of St. Andrews, primate of the whole kingdom of Scotland, and *legatus natus* of the said apostolic

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see with power of *legatus de latere*, specially appointed by the most sacred lord the Pope and his apostolic see to the king and kingdom of Scotland, and explained that a special faculty had been granted to him by the said Pope to visit all monasteries as well exempt as not exempt, and to chastise the excesses and enormities of the friars dwelling therein within the foresaid kingdom; and that, on the 25th of January last bypast, in the town of Leith, he promised to exonerate, and in reality exonerated, from the foresaid faculty Robert, Abbot of the monastery of Paisley, the said monastery, monks, and their servitors and familiar servants, and the monastery of Corsraguell depending on the said monastery of Paisley, and the religious men dwelling there, and the churches pertaining and subject to the said monasteries; and before the notary and witnesses the said most reverend father in Christ ratified and confirmed the said permission and exoneration, and of his certain knowledge, mere motion, and for the singular favour which he bore towards the foresaid venerable father in Christ, and for many other good deeds done to him in manifold wise, exonerated and quitclaimed the said venerable father, monasteries and monks, their servitors and familiars, and the churches of Paisley and Corsraguel, from the foresaid faculty by the tenor of the present instrument; and bound himself by oath never to come in the contrary hereof, and never to visit or reform the said monastery of Corsraguel, monks, familiars, and servitors of the same, or churches subject to the said monasteries, or seek or exact procurations or subsidy by reason of visitation, or for any other way, title, or cause, from them or any of them, by himself, commissioners, delegates, or any other intermediate person, or to use the privileges granted to him in any way in the premises without obtaining the express consent of the said Abbot. Done in the chamber of the Lodging of the said most reverend father in Christ in the burgh of Edinburgh, situated on the north side of the High Street of the same, in presence of Hugh Moncrefe and other witnesses; and certified by Mr. John Chepman, notary public.

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41. *Acts relating to the election of William Kennedy to the Abbacy.*—[1520.][1]

Première liasse.[2] Abbayes de Paslet et Cosragus en Ecosse.

Election de Willelme de Kennede, abbé de Corsragnuel en Ecosse, faite par les réligieux de son Abbaye, en 1520, signée, scellée.

Acte contenant le refus fait par l'Abbé de Paslet, en qualité de Vicaire de Cluny, de confirmer l'élection de Willelme, élu abbé de Corsraguel en 1520, signée.[3]

42. *Charter by Sir James Douglas to the Earl of Cassillis of his house in Maybole.*—[20*th December* 1520.][4]

Universis sancte matris ecclesie filiis ad quorum noticias presentes litere pervenerint seu presens carta pervenerit dominus Jacobus Dowglas capellanus prebendarius ac stallarius quinte stalle ecclesie collegiate de Mabole salutem in Domino sempiternam Noveritis me cum consensu et assensu honorabilis mulieris Egidie Blaire relicte quondam Jacobi Kennedy de Row[5] dicte mee capellanie fundatricis pro bono et singulari commodo utilitateque ecclesie prius visis et pensatis necnon in augmentacionem et melioracionem fructuum reddituum et firmarum mee capellanie assedasse et ad feodifirmam dimisisse et hac presenti carta mea confirmasse necnon per presentes assedare et ad feodifirmam dimittere et hac presenti carta mea confirmare nobili et potenti domino Gilberto Comiti de Cassillis domino Kennedy perpetuoque patrono dicti collegii de Mabole totam et integram domum meam per prefatam Egidiam Blaire de novo constructam dicte mee capellanie fundatricem una cum clausura inter pomerium meum et dictam domum ac spacio ad construendum coquinam et stabulum continente in

[1] *Inventaire des titres d'Angleterre et d'Ecosse:* (MS. in the Bibliothèque Nationale of Paris).

[2] These notes were communicated to me by M. Bruel, Archéviste Publique in Paris. They are from the Charters of the Abbey of Cluny, but the originals are lost.

[3] Probably either owing to his youth, or to a fear of the control of the monastery passing from their hands into those of the House of Cassillis. A few years after this the monks of Paisley were gravely scandalised by the appointment of John Hamilton, then a mere stripling, to their own abbacy (*Reg. de Passelet*, and Dr. Lees' *Paisley*, p. 185).

[4] *Culzean Muniments*, No. 246.

[5] V. *supra*, No. 37.

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Universis Sancte matris ecclesie filijs ad q
Jacobus dobyglas capellanus perpetuus ac stalla
terrarum Nouezahl me cum consensu et assensu hon
mee capellanie fundatricis pro bono et singulari
melioratione predicti redditum et firmarum me
a confirmasse Verum quia predicti assedere et ad feodi
mio Gilberto comiti de tassillis dno kemmed
tam per prefat Egidia blanze de nono consanguin
nun et dict domum ac spacio ad construendum requisi
bilia Jacent in burgo de mabole inter terras
orientali phibus ab altera Tenend et habend
berto comiti de tassillis suisq heredibus et su
in feodi firma et hereditate imperpetum Ad ess
tu et exitu de eis omnibus alijs et singulis libe
notatis qui notatis ta subtus terra qui superat
Justicie spectare valent quomodo futuro Et
sima sunt ego a dicta Egidia mea fundatrix
mde annuatim dicto Gilberto comiti de tassillis
te stalle stallarius et capellanus dum domus redd
festa pentecost et sancti martini in hieme p
terrarum sunt de dominorum tum stdm fermam et to
solutae dicti annuatim redditus imperpetuo
dicti domo et clausura tu pruneyn p quos tidi
tobus dobyglas et mei successores dicti cap me
predictum est contra omnes mortales warantizare
In cuius rei testimonium huic presenti carte mee C
plane fundatricis sigillum meum consensus et
millesimo quingentesimo vicesimo tertia hi
de kelnod Magro Nehtzado adam mill de
alijs etc

[illegible] Notum sit omnibus presentes litteras inspicientibus seu audientibus quod nos
[illegible] quinque stalle ecclesie collegiate de Mabole Salutem in domino sempi-
[illegible] nobilis mulieris Egidie Blaze relicte quondam Jacobi Kennedy de Kil dicti
[illegible] mundo viduitate per ecclesie pius obitum et pensatis Nectro d Augmentacione et
[illegible] capellanie assedasse et ad feodifirmam dimisisse et hac presenti carta me
[illegible] dimittere et hac presenti carta mea confirmare nobili et potenti do-
[illegible] patrono dicti collegii de Mabole totam et integram domum me-
[illegible] mee capellanie fundatam cum clausura inter pomerium me-
[illegible] stabulum versus in longitudine cum aqua et in latitudine
[illegible] Kennedy de Dundrellane ex occidentali et terram meam ex
[illegible] et integram predicti domus clausura in spatio ut supra prefatus
[illegible] assignatis de me et successoribus meis dicti mee capellanie capellanis
[illegible] meis suis plibat quiete Jacet in longitudine et latitudine in libero mei
[illegible] commoditatibus aisamentis ac Justis suis pertinentiis quibuscunque tam non
[illegible] et pertinentiis ad dictam domum clausura ac spatium in pertinentiis spectantibus seu
[illegible] libere quiete plenarie integre honorifice bene et in pace in omnibus et per
[illegible] domum et clausura tenuit seu possedit tenuit seu possedit Reddendo
[illegible] sum et successoribus michi et successoribus meis dicte capellanie qu
[illegible] meis usualis monete regni scocie ad duos anni terminos Vi-
[illegible] nalis pecunias nomine feodifirme exeunt levandum et solvendum de baronia et
[illegible] carte secundum tenorem dicti tenendum michi et successoribus meis facit pro
[illegible] omni alio onere exactione questione servitio seculari seu demanda quod de
[illegible] potest seu poterit de futuro seu requiri Et ego vero dictus dominus Ja-
[illegible] totam et integram predictam domum in clausura ac suis pertinentiis ut
[illegible] acquietabimus et predicte carte tenore in omnibus defendemus
[illegible] meum huic appositione sigilli dicti Egidie Blaze plibate capel-
[illegible] est apud Mabole decimo die mensis decembris anno domini
[illegible] Maurisio Walterio Kennedy militibus de Dollyglas thesaurario
[illegible] Johanne et domino Georgio Blaze capellano ac notario publico in domus
[illegible] Dominus Jacobus Dollyglas manu propria
[illegible] quinque stalle

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longitudine . . . ulnas (*sic*) et in latitudine . . . ulnas (*sic*) jacentem in burgo de Mabole inter terras Fergusii Kennedy de Drummellane[1] ex occidentali et terras meas ex orientali partibus ab altera Tenendam et habendam totam et integram predictam domum clausuram cum spacio ut supra prefato Gilberto comite de Cassillis suisque heredibus et succcssoribus de me et successoribus meis dicte mee capellanie capellanis in feodifirma et hereditate *inperpetuum* Per omnes rectas metas suas prelibatas prout jacent in longitudine et latitudine cum libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus asiamentis et iustis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad dictam domum clausuram ac spacium cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut ego aut dicta Egidia mea fundatrix prefatam domum et clausuram tenui seu possedi tenuit seu possedit Reddendo inde annuatim dictus Gilbertus comes de Cassillis heredes sui et successores michi et successoribus meis dicte capellanie quinte stalle stallariis et capellanis unum annuum redditum sex mercarum usualis monete regni Scocie ad duos anni terminos videlicet festa Penthecostes et Sancti Martini in hieme per equales porciones nomine feodifirme exeundum levandum et solvendum de baronia et terris suis de Dunnovir tantum secundum formam et tenorem carte securitatis dicti comitis michi et successoribus meis facte pro solucione dicti annualis redditus imperpetuum pro omni alio onere exactione questione servicio seculari seu demanda que de dicta domo et clausura cum pertinenciis per quoscunque iuste exigi poterunt in futurum seu requiri Et ego vero dictus dominus Jacobus Dowglas et mei successores dicte capellanie capellani totam et integram predictam domam cum clausura ac suis pertinenciis ut predictum est contra omnes mortales warantizabimus acquietabimus et presentis carte tenore inperpetuum defendemus In cuius rei testimonium huic presenti carte mee sigillum meum unacum appensione sigilli dicte Egidie Blair prelibate capellanie fundatricis[2] in signum sui consensus et assensus est appensum apud Mabole vicesimo die mensis Decembris anno Domini

[1] Drummellane House stood till this century near Barclanochan or the modern Kilkerran, on the Girvan. These lands of Fergus Kennedy were situated east of Maybole.

[2] Two more stalls must thus have been added since the original charter of foundation in 1371 (v. *supra*, No. 21).

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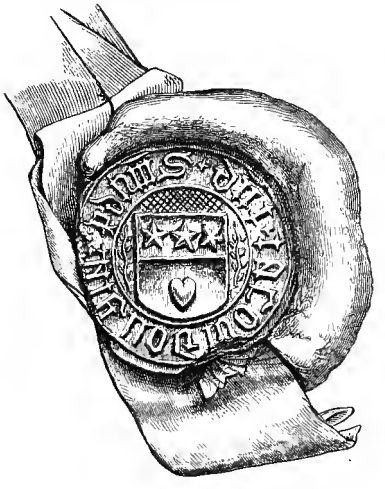
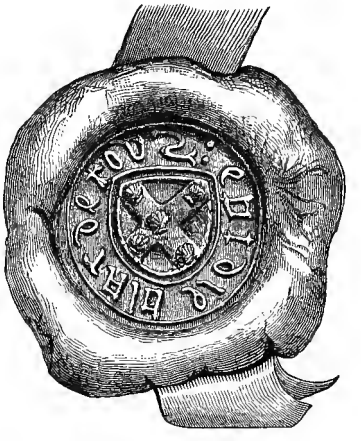
millesimo quingentesimo vicesimo coram hiis testibus magistro Waltero Kennedy rectore de Dowglas Thoma Corry de Kelwod magistro Wchtredo Adunnyll de Dalhowane et domino Georgio Blaire capellano ac notario publico cum diversis aliis, etc.

(Signed) Dn̄s Jacobus Dowglas,
manu propria capn̄o quīte stalle.





Abstract.

Charter by Sir James Douglas, chaplain prebendary and staller of the fifth stall of the collegiate church of Maybole, with consent and assent of an honourable woman Egidia Blair, relict of James Kennedy of Row, foundress of the said chaplaincy, whereby, for the singular advantage and utility of the church first seen and considered, and for augmentation and improvement of the fruits, rents, and fermes of the said chaplaincy, he sets at feu-ferme to a noble and potent lord Gilbert Earl of Cassillis, Lord Kennedy, and perpetual patron of the said college of Maybole, all and whole his house, newly constructed by the aforesaid Egidia Blair, foundress of his chaplaincy, together with the close between his orchard and the said house, and space for building a kitchen and stable, containing in length . . . ells, and in breadth . . . ells, lying in the burgh of Maybole, between the lands of Fergus Kennedy of Drumnellan on the west and the granter's lands on the east: To be held by the said Gilbert Earl of

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Cassillis and his heirs and successors, of the granter and his successors, chaplains of the said chaplaincy, in feu-ferme and heritage for ever: rendering therefor yearly to the said chaplain and his successors, stallers of the fifth stall and chaplains, an annualrent of six merks Scots, at the two terms of Whitsunday and Martinmas in winter by equal portions, to be paid in name of feu-ferme out of the earl's lands and barony of Dunure only, according to the tenor of the charter granted to the said Sir James by the said earl in security of the said annualrent. Dated and sealed with the granter's seal, and that of the said Egidia Blair in token of her consent and assent, at Maybole 20th December 1520; the witnesses being Mr. Walter Kennedy, rector of Douglas;[1] Thomas Corry of Kelwod,[2] Mr. Uchtred Adunnyle of Dalhowane, and Sir George Blair, chaplain and notary.

43. *Precept by Abbot William for infefting Neil Fergusson in the lands of Knockgarron and Altichapel.*—[14*th February* 1523-4.][3]

Willelmus permissione divina abbas monasterii de Corsraguel et conventus eiusdem dilectis nostris Allano M^c^Ylveine de Grumet Hugoni Fergusone Colino Fergusone ballivis nostris in hac parte specialiter constitutis salutem. Quia dedimus concessimus ac hereditarie ad feodifirmam dimisimus dilecto nostro Nigello Fergusone totas et integras tres libratas terrarum de Knokgarrane et Alticapell antiqui extentus cum pertinenciis jacentes in parochia de Daly comitatu de Carrik et infra vicecomitatum de Are Quequidem terre cum pertinenciis prius fuerunt Duncani Fergusone filii et heredis quondam Johannis Fergusone de Knokgarrane hereditarie et quas idem Duncanus non vi aut metu ductus nec errore lapsus seu dolo circumventus sed sua mera pura libera et spontanea voluntate a se et heredibus suis per fustem et baculum ut moris est apud dictum monasterium nostrum coram notario publico et fide dignis testibus reverencia et honore

[1] Son of Walter, rector of Douglas in Clydesdale, and himself Laird of Glentig, rector of the University of Glasgow in 1523, and provost of the Collegiate Church of Maybole (*Culzean Muniments*, and v. Paterson, ii. 324-5).

[2] The house of Kelwoodsyde, whence the Corrys came to Ayrshire about 1500, was on the borders of Nithsdale and Annandale (Bleau's *Atlas*). They held the lands and castle of Thomaston in Carrick till 1648, and took an active part in the feuds in this district in the sixteenth century (Paterson, ii. 293, 352. *Historie of the Kennedyis*, pp. 86, 146, etc.; *Dumfries Retours*, No. 151).

[3] *Culzean Muniments*, No. 272.

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quibus decuit in manibus nostris tanquam in manibus domini sui superioris earundem sursum reddidit pureque et simpliciter resignavit imperpetuum in favorem dicti Nigelli Fergusone prout in carta nostra sibi desuper conficienda plenius continebitur Vobis igitur et vestrum cuilibet coniunctim et divisim precipimus et mandamus quatenus visis presentibus statum hereditarium et sasinam necnon realem actualem et corporalem possessionem omnium et singularum prefatarum trium libratarum terrarum de Knokgarrane et Alticapell antiqui extentus cum pertinenciis prefato Nigello Fergusone et heredibus suis hereditarie vel suo certo actornato latori presentium secundum tenorem carte nostre sibi inde conficiende juste deliberetis et habere faciatis sine dilatione Reservato tamen libero tenemento viginti solidatarum terrarum de Knokgarrane ac viginti sex solidatarum et octo denariatarum terrarum de Alticapell antiqui extentus cum pertinenciis Agneti Kennedy relicte quondam Johannis Fergusone pro toto tempore vite sue tantum Ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim nostram liberam plenariam ac irrevocabilem potestatem pariter et facultatem committimus per presentes In cuius rei testimonium sigillum nostrum commune presentibus est appensum. Apud dictum nostrum monasterium de Corsraguel decimo quarto die mensis Februarii anno Domini millesimo quingentesimo vicesimo tertio coram hiis testibus Thoma Kennedy de Doneyne David Kennedy Thoma Muligane et domino Duncano M'Krenele capellano cum diversis aliis.

ABSTRACT.

Precept by William Abbot of Crossragwell, addressed to Allan M'Ylvaine of Grumet, Hugh Fergusson, and Colin Fergusson, bailies in that part, for infefting Niel Fergusson in all and whole the three pound lands of old extent of Knokgarran and Alticapel, in the parish of Dailly, earldom of Carrick and shire of Ayr; which lands belonged before to Duncan Fergusson,

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son and heir of the deceased John Fergusson of Knokgarran, and were resigned by him by staff and baton in the hands of the said abbot, as lord superior, in favour of the said Niel, as should be more amply contained in the charters to be made to him thereupon: Reserving, however, to Agnes Kennedy, relict of John Fergusson, her liferent of the 20/ lands of Knokgarran, and the 26/8d. lands of Alticapel. Given under the common seal of the Monastery on 14th February 1523-4.

44. *Instrument of Sasine proceeding on the aforesaid Precept.*—[21*st February* 1523-4.][1]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno incarnacionis dominice millesimo quingentesimo vicesimo tercio mensis vero Februarii die xxj° indictione duodecima pontificatusque sanctissimi in Christo patris et domini nostri divina providencia pape moderni anno primo In mei notarii publici et testium subscriptorum presenciis personaliter constitutus discretus vir Allanus M'Ylveine[2] filius et heres apparens Gilberti M'Ylveine de Grumet ballivus in hac parte venerabilis in Christo patris Willelmi permissione divina abbatis de Corsraguel et conventus eiusdem preceptum sasine pergamino scriptum sigilloque communi dicti monasterii de Corsraguel cera rubea albe impressa pendente sigillatum quod manibus suis tenuit michi notario publico coram testibus infra positis tradidit perlegenda exemplandum et in hanc publicam formam instrumentalem redigendum/ quodquidem preceptum ad manus recepi et illud alta et intelligibili voce perlegi Cuius precepti tenor de verbo in verbum sequitur sub hac forma (same as No. 43, word for word). Post cuius precepti receptationem et perlectionem sic per me notarium publicum subscriptum ut premittitur factas prefatus Allanus M'Ylveine ballivus in hac parte antedictus accessit ad predictas tres libratas terrarum de Knokgarrane et Alticapell antiqui extentus cum pertinenciis in preinserto precepto expresse nominatas et ibidem super solum earundem statum hereditarium et sasinam ac realem actualem et corporalem possessionem omnium et singularum viginti solidatorum terrarum de Knokgarrane et quadraginta solidatarum terrarum de Alticapell antiqui extentus cum

[1] *Culzean Muniments*, No. 273.

[2] He had a charter of the lands of Grumet and Attiquin from James V. in 1529. The family subsequently acquired the lands of Thomaston (*Reg. Mag. Sigilli; Inq. Retorn. Abb.*, 1669; Paterson's *Ayrshire*, ii. p. 355).

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pertinenciis predicto Nigello Fergusone secundum formam et tenorem precepti prius inserti ac carte desuper conficiende *per terre et lapidis tradicionem* ut moris est hereditarie dedit et donavit imperpetuum Super quibus omnibus et singulis prefatus Nigellus a me notario publico subscripto sibi fieri peciit publicum et publica instrumentum et instrumenta unum seu plura Acta erant hec super solum dictarum terrarum apud mansiones principales earundem hora quasi novena ante meridiem vel ea circa sub anno die mense indiccione et pontificatu quibus supra presentibus ibidem circumspectis viris Thoma Kennedy Willelmo M'Rore Fergusio M'Calloune et Gilberto Eglissame testibus ad premissa vocatis specialiter ac cum instancia debita rogatis et requisitis.

Et ego vero Willelmus Ros presbyter Glasguensis diocesis sacraque auctoritate apostolica notarius (etc., in communi forma).

Abstract.

Notarial Instrument of Sasine proceeding on precept addressed by William Abbot of Crosraguel to Allan M'Ylveine of Grumet, Hugh Fergusson and Colin Fergusson, as his bailies in that part, for infefting Niel Fergusson in all and whole the three pound lands of Knockgarrane and Alticapell of old extent, in the parish of Dailly earldom of Carrick and shire of Ayr, which belonged before to Duncan Fergusson, son of the deceased John Fergusson of Knockgarren, heritably, and were freely resigned by him by staff and baton in the hands of the said abbot as lord superior thereof, at the Monastery of Crosraguel, in favour of the said Niel Fergusson: Reserving, however, to Agnes Kennedy, relict of the said John Fergusson, her liferent of twenty shillings of the lands of Knockgarron, and twenty-six shillings and eightpence of the lands of Alticapel. The precept is dated at the said monastery on 14th February 1523, before these witnesses, viz., Thomas Kennedy of Donneyne, David Kennedy, Thomas Muligane, and Sir Duncan M'Krenele, chaplain; sasine is given on the 21st of the same month, in presence of Thomas Kennedy, William M'Rore, Fergus M'Calloun, and Gilbert Eglishame, witnesses. The notary is William Ros.

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45. *Surrender by Duncan, and Investiture of Niel, Fergusson of the Lands of Knokgarron, etc., by William Abbot of Crosraguel.*—[*7th July* 1523][1]

In Dei nomine, Amen: Per hoc publicum instrumentum cunctis pateat evidenter et sit notum quod anno Incarnacionis dominice millesimo quingentesimo vigesimo tercio mensis vero Julij die septimo indictione undecima pontificatusque sanctissimi in Christo patris et domini domini Adriani divina providencia pape sexti anno secundo In mei notarii publici et testium subscriptorum presenciis personaliter constitutus Duncanus Fergusson filius et heres quondam Johannis Fergusson de Knokgarren Quiquidem Duncanus non vi aut metu ductus nec errore sed sua propria et spontanea voluntate utilitateque sua undeque previsa et pensata ut asseruit comparuit coram venerabili in Christo patre et domino Wilelmo abbate de Corsragwell et eiusdem loci conventus in loco capitulari dicti monasterii et ibidem genibus flexis reverencia qua decuit omnes et singulas viginti solidatas terrarum de Knokgarren et alias viginti solidatas terrarum de Altycapyll antiqui extentus cum pertinenciis earundem jacentes in parochia de Daly in comitatu de Carryk et infra vicecomitatum de Ayr pure et simpliciter per fustem et baculum in manibus dictorum [abbatis] et conventus tanquam in manibus dominorum superiorum earundem terrarum a se et heredibus suis inperpetuum in favorem Nigelli Fergussone sui patrui et heredum suorum resignavit et sursum reddidit ac totum jus et juris clameum proprietatem et possessionem que et quas ipse Duncanus in seu ad dictas terras cum pertinenciis earundem habuit habet aut quovismodo habere poterit omnino quieteclamavit inperpetuum Qua resignacione sic rite et legitime facta per dictum Duncanum et per prefatum abbatem et conventum recepta prefatus Wilelmus abbas cum consensu dicti sui conventus omnes et singulas prefatas terras cum pertinenciis earundem predicto Nigello Fergusson et heredibus suis per tradicionem et deliberacionem huiusmodi fustis et baculi ut moris est in talibus fieri consuetum dedit tradidit pariter et deliberavit adeo libere et quiete in omnibus et per omnia sicut ipse Duncanus aut predecessores sui prenominatas terras de Knokgarren et Altycapyll cum pertinenciis de dictis dominis abbate et conventu aut predecessoribus suis ante presentem resignacionem in manibus suas factam liberius tenuit seu

[1] *Culzean Muniments*, No. 268.

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possedit tenuerunt seu possederunt ac secundum tenorem carte per dictum abbatem et conventum dicte Nigello desuper conficiende Super quibus omnibus et singulis dictus Nigellus Fergusson a me notarii publico subscripto sibi fieri peciit unum seu plura instrumentum seu instrumenta publicum seu publica Acta erant hec in Capitulo monasterii de Corsragwell sub anno die mensis indictione et pontificatu quibus supra hora quasi sexta pomeridiana presentibus ibidem nobili et potenti domino Gilberto Comite de Cassillis Thoma Corry de Kelwod Allano M'Ylweyne Thoma Campbell Colino Fergusson et Magistro Johanne Kennedy vicario de Terreglys cum diversis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego vero Jacobus Kennedy presbyter Glasguensis diocesis publicus sacra auctoritate apostolica notarius (etc., in communi forma).

Abstract.

Notarial instrument, narrating that Duncan Fergusson, son and heir of the deceased John Fergusson of Knokgarron, personally appeared in presence of the venerable William Abbot of Crosraguel and the convent thereof, in the chapter-house of the said monastery, and there, on his bended knees, with becoming reverence, purely and simply resigned and surrendered, by staff and baton in the hands of the said abbot and convent, as in the hands of the lords superiors thereof, all and sundry the twenty shilling lands of Knokgarron, and other twenty shilling lands of Altycapel, of old extent, in the parish of Dailly and earldom of Carrick and within the shire of Ayr, and all right, claim, and property which he had or might have therein, in favour of Niel Fergusson, his paternal uncle, and his heirs: which resignation having been thus duly and lawfully made, and by the said abbot and convent received, the abbot, with consent of the convent, gave and delivered the aforesaid lands to the said Niel Fergusson, by delivery to him of the said staff and baton, according to the custom in such cases, that he should hold and possess the same as freely as they were held before the said resignation, and according to the charter to be made to him thereof by the said abbot and convent: Done in the said chapter-house of Crosraguel, about six o'clock afternoon of the day aforesaid, before these witnesses, Gilbert Earl of Cassillis, Thomas Corry of Kelwod, Allan M'Ilwayne, Thomas Campbell, Colin Fergusson, and Mr. John Kennedy, vicar of Terregles, and many others.

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46. *Rental of Paisley Abbey.*—[1525.][1]

Rentale reverendi patris domini Johannis Hammiltoun commendatarii monasterii de Pasleto et abbatis futuri ejusdem, ac assedaciones omnium terrarum dicto monasterio spectantium et pertinentium, factum in mensibus Octobris et Novembris Anno Domini millesimo quingentesimo vicesimo quinto, scriptum manu religiosi viri domini Alexandri Walcar prioris tunc claustralis prefati monasterii necnon dicti domini commendatarii administratorii deputati. . . .

Kyll:

Adamtoun . . .	xls.
Corsbe	viijs. iiijd.
Auchynlek . . .	xxs.
Corsraguell . . .	vj lib. xiijs. iiijd.

47. *Resignation by Niel Fergusson of Altichapel and Knockgarron into the hands of William Abbot of Crosraguel.*—[6*th February* 1526.][2]

In Dei nomine, Amen : Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnacionis Dominice millesimo quingentesimo vicesimo sexto die vero mensis Februarii vicesimo quinto indictione decima quinta pontificatus sanctissimi in Christo patris ac domini nostri domini Clementis diuina prouidencia pape septimi anno quarto In mei notarii publici et testium subscriptorum presencia personaliter constitutus prouidus vir Nigellus Fergussoun de Knockgarrane non vi aut metu ductus nec errore lapsus seu dolo aut aliqua alia sinistra machinacione circumuentus sed sua mera libera et spontanea voluntate vtilitateque sua prius visa et pensata ac pro certa summa pecunie ut asseruit sibi deliberata et aliis bene meritis sibi traditis ac tradendis per venerabilem in Christo patrem Willelmum permissione diuina abbatem monasterii de Corsragwell a se et heredibus suis per fustem et baculum ut moris est sursum reddidit pureque ac simpliciter inperpetuum resignauit omnes et singulas tres libratas terrarum suarum de Knocgarrane et Alticappill vocatas Makcubenstoun antiqui extentus cum per-

[1] 'Rental of Paisley Abbey.'—*MSS. Advocates' Lib.*
[2] *Culzean Muniments*, No. 280.

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tinenciis iacentes in comitatu de Carryk et infra vicecomitatum de Air in manibus dicti venerabilis patris Willelmi permissione diuina abbatis monasterii de Corsragwell domini sui superioris earundem secum ac cum suis assignatis pro perpetuo remansuras Ita quod dicta resignacione per prefatum Nigellum sic ut premittitur facta ipse Nigellus heredes sui et assignati aliquod ius clameum proprietatem vel possessionem in et ad predictas terras cum pertinenciis quas habet habent seu habere poterunt in futurum omnino quieteclamavit inperpetuum sed quod ipse Nigellus et heredes sui sint ab eisdem penitus expulsi et seclusi fraude et dolo semoti Super quibus omnibus et singulis peciit dictus venerabilis pater Willelmus abbas monasterii de Corsragwell a me notario publico subscripto vnum aut plura sibi fieri instrumentum seu instrumenta Acta erant hec infra monasterium de Corsragwell hora quasi octaua post meridiem vel eo circa sub anno mense die indictione et pontificatu quibus supra presentibus ibidem prouidis et discretis viris, viz., domino Johanne Kennedy prebendario de Mabole Duncano Forgussoun et Arthuro Gilhespye testibus ad premissa vocatis pariter et rogatis.

Et ego vero Georgius Blair presbiter Glasguensis diocesis publicus Imperiali ac Regali auctoritatibus notarius quia premissis omnibus et singulis dum sic ut premittitur dicerentur agerentur et fierent vnacum prenominatis testibus presens interfui eaque omnia et singula sic fieri sciui vidi et audiui ac in notam cepi ideoque hoc presens publicum instrumentum manu mea propria fideliter scriptum hic me subscribente exinde confeci et in hanc formam publicam redegi signoque et nomine meis solitis et consuetis signaui vnacum appensione sigilli prefati Nigelli Forgussoun rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

Georgius Blair, etc.

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ABSTRACT.

Instrument of resignation *ad remanentiam* by Nigel Fergusson of Knockgarrane in the hands of William, Abbot of the monastery of Crosraguel, of his three pound lands of Knockgarrane and Alticappill, called Makcubenstoun, of old extent, with the pertinents, lying in the earldom of Carrick and shire of Ayr, as in the hands of his superior, to remain with him and his assignees for ever, the abbot having paid a certain sum of money to the said Nigel for the same. Done in the monastery of Crosraguel, 25th February 1526, in presence of Sir John Kennedy, prebendary of Maybole, Duncan Fergusson and Arthur Gilhespye.

48. *Procuratory by Niel Fergusson, appointing William Abbot of Crosraguel his Procurator in his action.*—[17*th May* 1527.][1]

Vniuersis pateat per presentes me Nygellum Forgussone in Carskolte fecisse constituisse et ordinasse nec non per presentes facere constituere et ordinare nobiles viros, viz., venerabilem patrem Villelmum permissione diuina abbatem de Crosraguell ac commendatarium perpetuum monasterii Sacri Nemoris[2] Thomam Corre de Keldwod et Thomam Corre juniorem eius apparentem heredem, magistros Jacobum Fowlis Johannem Leithane et dominum Johannem Kennide de Mayboill prebendarium meos veros legittimos et indubitatos procuratores actores factores et negociorum meorum gestores ac nuncios speciales et generales Ita tamen quod generalitas specialitati non deroget nec eque sic quod non sit melior condicio ocupantium sed quod vnus eorum inceperit alter eorum et prosequi valeat mediare et fine debito terminare et eorum quilibet in solidum etc. Dando et concedendo dictis meis procuratoribus coniunctim et diuisim meam veram legittimam et indubitatam potestatem ad comparendum pro me et nomine meo coram dominis consilii in pretorio de Edynbroch uel vbi contingit eos pro tempore indicialiter sedere vigesimo primo die mensis Maii anno Domini j^{mo} v^{c} vigesimo

1 *Culzean Muniments*, No. 281.

2 The Premonstratensian monastery of Holywood, called in Papal Bulls Dercongal, was 4 miles from Dumfries, founded by Edward Bruce, lord of Galloway. Its value in 1544 was £700, and was given in at the Reformation at £425 (MS. *Rental Book;* for further particulars see Chalmers' *Caledonia*, iii. 153; Dugdale's *Monasticon*, ii. 1057). Thomas Campbell was commendator in 1560-8; but William Abbot of Crosraguel has not been hitherto known as holding the office.

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septimo cum continuatione dierum ad agendum defendendum et respondendum in causa seu causis moto seu mouenda motis seu mouendis inter me et quascunque personas alias et specialiter inter me et Duncanum Fergussone[1] quondam dominum de Knocgarrane Et generaliter omnia alia et singula faciendum gerendum et exercendum que ad officium procuratoris seu procuratorum rite pertinere dinoscitur Ratum et gratum habentem et habiturum totum et quicquid dicti mei procuratores seu vnum eorum coniunctim et diuisim duxerit exequendum sub ypoteca et obligatione omnium bonorum meorum presencium et futurorum. In cuius rei testimonium quia sigillum meum proprium non erat pro tempore presens sigillum honorabilis viri Jacobi Kennide fratris germani nobilis et potentis domini Gilberti comitis de Cassillis per me procuratum presenti procuratorio affixi apud Crosraguell decimo septimo die Maii anno Domini jm° v^c vigesimo septimo etc., coram hiis testibus Dauid Kennide Georgio Barklay Thoma Millikyn et magistro Georgio Kennide notario publico cum diuersis, etc.

ABSTRACT.

Procuratory by Nigel Fergusson in Carskolte, whereby he appoints William Abbot of Crosraguel and perpetual commendator of the monastery of Holywood, Thomas Corry of Kellwod, Thomas Corry younger his apparent heir, masters James Fowlis, John Leithane, and Sir John Kennedy, prebendary of Maybole, his procurators, to compear before the Lords of Council in the tolbooth of Edinburgh, or wherever they should be judicially sitting for the time, on the 21st of May 1527, and defend the said Nigel Fergusson in the cause between him and Duncan Fergusson, sometime laird of Knockgarron. Sealed with the seal of James Kennedy, brother of Gilbert Earl of Cassillis, because the said Nigel had not his own seal present at the time, at Crosraguel 17th May 1527.

49. *Contract between the Earl of Cassillis and William Abbot of Crosraguel, his Tutor, and James Kennedy of Blairquhan.*—[28*th May* 1528.][2]

At Blarquhan It is appounctit concordit faythfully compromittit and finaly endit betuix honourable personis that is to say ane venerable fader

[1] Duncan probably disapproved of the resignation mentioned in the preceding number.

[2] *Culzean Muniments*, No. 288.

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in God William be the permissioun of the samyn Abbot of Corsragwell and tutour to ane noble Lord Gilbert Erle of Cassillis [1] his brother's sone for himself and the said Erle of Cassillis on the tapairt and James Kennedy of Blarquhan on the toder pairt in maner forme and effect as efter followis that is to say that the saidis Gilbert Erle of Cassilis with consent and assent of the said venerable fader his tutour sall mak the said James their assignay to the redemptioun and outguytyng of the xls. land of Craginceroyag of auld extent with the pertinentis liand within the barony of Dunnovir the erldome of Carryk and the scherefdome of Air that Quintyne Schaw tutour of the Keris [2] hes be charter and sasing in the sikkerest wis men of law can deuis and sall deliuer to him the reuersioun maid be Quintyne Schaw to vmquhile Gilbert Erle of Cassillis our derest brother quham God assolze And incontinent eftir the redemptioun and outquiting of the said landis be the said James the said Gilbert Erle of Cassillis with consent of the said venerable fadir his tutour sall infeft the said James and his air in the said xls. land of Craigincroyag sua that na vthir be in the sasing thairof of befoir And falzeing of the said xls. land of Craigincroyag thai sall infeft the said James and his airis in vthir xls. land of the landis of Dunnovir of auld extent with thair pertinentis in fre blanch ferme of the quhilkis na vthir hes sasing the said James geifand to the said Erle of Cassillis and his airis ane reuersioun vpoun the sovm contenit in the said Quintyne Schawis reuersioun and eftir the tennour and forme of the samyn for the redemptioun of the said landis agane fra the said James And for thair landis the said James sall haif the twa merk land and a half of Barbeth of auld extent with thair pertinentis that the said Quintyne Schaw hes the day of the makin of thir presentis for the said lands of Craigincroyag and sua lang as the said James browkis the said twa merkland and a half of Barbeth and takkis vp the malis and proffettis thairof he sall nocht intromet with the said xl s. land of Craigincroyag nor zit with ony vthir land that he happinnis to get sasing of ony maner of way Alsua it is appounctit that becaus that the said venerable

[1] Third Earl of Cassillis, born 1515, and on the death of his father in 1527 placed under the tutorship of Abbot William his uncle until 1538. He was a pupil of George Buchanan. At the battle of Solway Moss in 1542 he was taken prisoner, but returned to Scotland in 1545 loaded with presents (see No. 60, *infra*). He was sent by Parliament to attend Queen Mary's marriage with the Dauphin in 1558, and died under suspicion of poison in November of that year (v. Tytler's *History*, and Paterson's *Ayrshire*, ii. 331).

[2] Keirs Castle stood on the Doon in Straiton parish. Their family burying-ground is still to be seen at Straiton Church (see Paterson, ii. 480; and Pitcairn's *Historie of the Kennedyis*, pp. 192-196).

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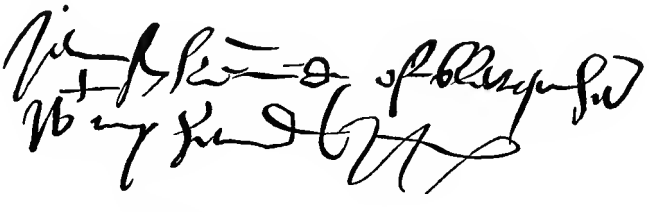
fadir hes set to the said James the said twa merkland and a half of Barbetht and to be enterit thairto at this nixt Witsonday he sall warrand the said venerable fadir and Erle of Cassillis at the said Quintyne Schawis handis of the malis proffetis and dewiteis of the said landis of Cragincroyag thai makand him powar in all gudly haist that he may redeme the samyn fra the said Quintyne Alsua it is appounctit that quhat tyme or how soyne the said venerable fadir or the said Gilbert Erle of Cassillis happinnis or beis reddy to redeyme and lows the said xl s. land of Cragincroyag or ony vthir land within the said barony of Dunnovir that the said James gettis in wadset for his money that he and his airis sall thankfully ressaif thair awin money agane and with hartlie will and kyndnes geif our the said landis of Dunnovir and the said twa merkland and a half of Barbetht with thair pertinentis sua that the saidis venerable fadir and Erle of Cassillis may dispoyne thairupoun to quhat persone or personis thai pleis best or thinkis maist expedient And that this contract and appounctment be actit in the officialis bukis of Glasgw for the fulfilling and keping of the samyn renunciand all preuilege of law and jurisdictioun in that cais submittand thame to the jurisdictioun of Glasgw and to be monist vnder the panis of cursing and that all thir condicionis be obseruit and kepit athir of the saidis parteis has gevin thair bodely athis the haly euangell tuichit And for the mair sikkernes hes selit and ⌜subscryuit the samyn with thair handis the xxviij day of the moneth of Maij the zeir of God j^{m} v^{c} twenty and aucht zeiris befoir thir witnes James Kennedy[1] brother germane to the said venerable fadir Dauid Kennedy of Pennyglen Maister James Kennedy vicar of Mabole James M'Ke Thomas Mwlykyne George Barklay and Sir George Blair chaplane and public notar with wthir diuers, etc. And atour it is appunctit that the said James Kennedy sall nocht aggre with the said Quintyne Schaw ony maner of way without consent of the said venerable fadir nor zit the said venerable fadir sall nocht aggre with the said Quintyne without consent of the said James in lykwys.



[1] Of Brunston.

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ABSTRACT.

Contract between Gilbert Earl of Cassillis and William Abbot of Crosraguel, his uncle and tutor, and James Kennedy of Blairquhan, bearing that the earl and the abbot his tutor shall make the said James Kennedy their assignee in and to a letter of reversion of the forty shilling land of Craigencroag, lying in the barony of Dunure, granted by Quintin Shaw, tutor of Kerris, to umquhile Gilbert Earl of Cassillis, with power to the said James Kennedy to redeem the said lands of Craigincroag from the said Quintin Shaw, and in the event of his having done so the earl and abbot oblige them to infeft him and his heirs in the said lands of Craigincroag, and failing thereof in a forty shilling land of the lands of Dunure, he granting to the earl a letter of reversion for the like sum as contained in that granted by Quintin Shaw, and in the same terms, etc. 28th May 1528.

50. *Contract between William Abbot of Crosraguel and Mr. James Kennedy, Chamberlain to the Earl of Cassillis.*—[29*th January* 1528.][1]

At Edinburgh the tuenty nyne day of Januar the zeir of God ane thousand five hundreth and tuenty aucht zeris It is appoynted and aggreit betuix ane venerabill fader in God Williame Abbote of Corsraguell tutour to ane nobill and mychty Lord Gilbert now Erll of Cassillis Lord Kennedy, etc. and Maister James Kennedy chalmerlane to the said erll on that ane part and ane nobill Lady Dame Issabell Campbell[2] the relict of vmquhill Gilbert Erll of Cassillis on the vthir part in maner forme and effect as efter followis that is to say fforsamekle as the said Dame Issabell is superexpendit in her compt makin to the said venerabill fader as tutour foirsaid and the said chalmerlane of all soumes of money vittalis and vthir gudis intromettit with be hir sen the deces[3] of the said vmquhill Gilbert Erll of Cassillis hir spous that pertenit or suld pertene to the said Gilbert now Erll of Cassillis to the day of the dait hereof efter the forme and tenour of ane contract maid betuix the saidis parteis thairupon and actit in the officialis bukis of

[1] *Culzean Muniments*, No. 289.

[2] Second daughter of Archibald Earl of Argyle (Wood's *Peerage*).

[3] He was killed by Hugh Campbell of Loudoun, Sheriff of Ayr, at the "Pou" of Prestwick in 1527 (*Original Records of the Court of Justiciary MSS.; Historie of the Kennedyis*, p. 84; Paterson, ii. 330).

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Loutheane[1] extending to the soum of thre hundreth pundis vsuale money of Scotland Thairfoir the said venerabill fader as tutour foirsaid for the weill and proffet of the said Gilbert now Erll of Cassillis with consent and assent of the said Maister James chalmerlane foirsaid havand consideratioun of the said superexpens gevis and assignis to the said Dame Issobell be the tenour herof and to hir executouris the haill half of the fruitis of the personage of the Kirk of Maiboill[2] lyand in Carrik pertening to the said Gilbert now Erll of Cassillis be ressoun of assedacioun of this instant zeir of God ane thousand five hundreth and twenty aucht zeiris and of the zeir nixt herefter following videlicet the tuenty nyne zeir of God in compensacioun of the said soum of thre hundreth pundis in the quhilk the said Dame Issabell is superexpendit as said is And in cace the said twa zeris frutis abonewrittin extendis nocht to the said soum of thre hundreth pundis as said is the said Dame Issabell and her executouris allowand and ressavand ilk boll of the vittale thairof this zeir and the said nixt zeir to thretteine schillingis and four penneis than and in that cace the said venerabill fader in God as tutour foirsaid and Maister James or ony vthir chalmerlane that salbe for the tyme sall content and pay to hir or thame the rest that salhappin to be mair restand abone the saidis twa zeris frutis at the compleit end of the said twa zeris And in cace the saidis frutis of the forsaidis twa zeris extendis to mair than the said thre hundreth pundis in that cace the said Dame Issabell or hir executouris sall refound and pay the superexcrescence thairof to the saidis chalmerlanis at the ische of the saidis twa zeris And attour gif it happinis the said Dame Issabell hir executouris or thair seruandis and factouris to be trublit in the peceabill broukin and vplifting of the saidis twa zeris frutis of the half of the personage of the Kirk of Mayboill foirsaid be the said venerabill fader his brother thair seruandis and houshald men or be the saidis chalmerlanis Than and in that cace the said venerabill fader as tutour foirsaid togidder with the said Maister James hes gevin and assignit and be the tenour of thir presentes gevis and assignis

[1] *i.e.* The books or records of the Official of the deanery of Lothian. Many of these are still preserved in manuscript in the Register House at Edinburgh, and relate as in the text nearly altogether to matrimonial cases. This identical contract cannot however be found among them, and it is difficult to understand why it should have been in the Lothian records at all.

[2] These revenues were subsequently leased to Kennedy of Bergany (Paterson, ii. 368). The churches of Maybole and Kirkbride were granted by Earl Duncan to the nunnery of North Berwick in 1216, and continued with them till the Reformation; while half the "personage" was annexed to the *Sacrista major* in the Collegiate Church of Glasgow (Chalmers, iii. p. 530).

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to the said Dame Issabell or her executouris samekle of the reddiest frutis of quhatsumeuir landis pertening to the said erll extending to samekle as scho sall happin to want of the said sowm of thre hundreth pundis gevand hir and thame powar now as than and than as now be thairself thair seruandis and factouris to intromett thairwith at their awin hand but ony maner of impediment quhatsumeuir sa son as scho or thai beis trublit in the peceabill broukin of the foirsaidis twa zeris frutis abone expremit the said truble and impediment beand first notourlie knawin and sufficientlie previt to be done be the personis foirsaidis but[1] fraude or gile And gif it misteris the said Dame Issabell and her executouris to poynd and distrenze the withhalderis and intromettouris with the frutis foirsaidis for falt of non payment thairof in that cace the said venerabill fader sall send his seruandis with the said Dame Issabellis seruandis or hir executouris to help and supple thame to poynd and distrenze for the samyn sa aft as mister beis and he requirit thairto be thame sa far as law will providing allwais that the said Dame Issabell and hir executouris content and pay zeirlie during the saidis two zeris twenty aucht merkis money foirsaid to the said Maister James or vthir chalmerlane for the tyme at the feist of aduincula Sancti Petri callit Lammes for the maill of the half of the said frutis of the Kirk of Mayboill to be gevin to the Prioress and conuent of North Berwik[2] for the maill of the samyn efter the forme of the assedatioun maid thairupoun and attour the said venerabill fader as tutour foirsaid grantis him to haif ressauit compt rakning and payment of the said Dame Issabell of all maner of insycht guidis soumes of money vittalis clething siluer-werk and vthir guidis quhatsumeuir intromettit with be hir sen the deces of the said vmquhile Gilbert Erll of Cassillis hir spous that may pertene to Gilbert now Erll of Cassillis vnto the day of the dait herof as is contenit in the inuentar maid betuix the said venerabill fader and Dame Issabell and the compt buikis thairupoun except ane siluir basing twa bolis pecis ane salfat of siluer ane coupe with ane couertour and ten sponis quhilkis the said Dame Issabell oblissis hir to deliuer to the said venerabill fader at the feist of aduincula Sancti Petri callit Lammes nixt

[1] "Without."

[2] The patrons of the church; *vide* preceding note. The Cistercian nunnery of North Berwick was founded in the 12th century by Duncan Earl of Fife, and had various possessions all over Scotland (Dalrymple's *Coll.*, 268; Keith's *History*, p. 282; *Reg. de Newbotle*, pp. 57-58). Its value at the Reformation was £556 in money (*Books of Assumption*). The Prioress at this time was Isobel Home, daughter of Sir Alexander Home of Polwarth (Douglas' *Peerage*, p. 445; Chalmers, iii. p. 506.)

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tocum And thairfoir the said venerabill fader dischargit hir as tutour foirsaid of the saidis guidis soumes of money vittalis clething siluer werk and vthiris gudis foirsaidis except befoir excepit be the tenour of this contract for now and euir and grantis the said contract maid of befoir anent the said compt makin fulfillit in all poyntis efter the forme of the samyn And attour the said Dame Issabell havand tak and assedacioun of baith the personage and vicarage of the Kirk of the Inche and of the personage of Leswalt in Galloway [1] to hir and hir assignais for the space and termes of five zeris nixt followand the feist of Beltane last bipast befoir the dait herof ffor certane consideracionis moving hir and for lufe and kyndnes that scho beris to the said Gilbert now Erll of Cassillis hir sone makis and constitutis the said Gilbert and his airis hir vndouttit cessionaris assignais and procuratouris in hir rycht in and to the last zeir tak of the foirsaid five zeris of the foirsaidis Kirkis of the Inche and Leswalt and proffettis thairof abone expremit gressume fre and now as than and than as now makis him and his airis assignais to the samyn And in cace the said Dame Issabell happin to mary within the space of the first four zeris contenit in hir said assedacioun in that cace the said Dame Issabell now as than and than as now makis and constitutis the said Gilbert hir sone and his airis hir vndouttit assignais and procuratouris in hir rycht in and to the said tak and assedacioun for all termes to rin immediatelie followand the completing of hir said matrimone and spousage the said Gilbert Erll of Cassillis or his airis payand to the said Dame Issabell samekle of the gressume [2] efferandly to the zeris and termes to rin of the said four zeris efter the completing of the said matrimone as scho payit for the saidis four zeris tak at hir entres to the samyn and sall find hir sufficient cautioun for payment thairof within sex monethis efter the completing of the said matrimone failzeing thairof this assignacioun to be null in the self and of nain availl And in likwis the said Dame Issabell in cace scho deces within the said four zeris vnmariit as said is makis and constitutis the said Gilbert hir sone and his airis hir assignais in and to the said tak for all termes to rin efter hir deces providing alwais that the said Gilbert Erll of Cassillis or his airis content and pay the said gressume efferandlie to the said four zeris sa far as than salhappin to rin to quhat persoun scho plesis to leif the samyn to in legacy And gif the said Dame Issabell hes maid ony takis to quatsumeuir persoun

[1] See note on No. 57.

[2] In England, a *fine for renewal;* usually attached to a five years' lease (C. Innes).

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or personis of the fruitis of the saidis Kirkis befoir the dait herof the said erll or his airis in cace scho mary or deces as said is sall fulfill the samyn induring the saidis five zeris the rentell thairof nocht beand mynist to the said erll and his airis And in cace the saidis assignacionis abone expremit be nocht sufficient to the effect foirsaidis the said Dame Issobell oblissis hir to reforme the samyn be avis of men of law sua that it salbe maid sufficient to the effect foirsaid And sicklike the said venerabill fader and Maister James oblissis thame to reforme the samyn be aviss of men of law to the effect foirsaid gif mister beis sa far as concernis thair part thairof And for the observing keping and fulfilling of the premissis and euir ilk poynt thairof all the parteis foirsaidis bindis and oblissis thame faithfully to vtheris obserue keip and fulfill the samyn lelelie and treulie bot fraude or gile And for the mair securitie thai haif subscriuit this contract with thair handis day zeir and place foirsaidis befoir thir witnes Sir Johne Campbell of Cadder Knycht James Kennedy of Blairquhan Alexander M'Culloch Patrik Mure Maister George Kennedy and Mungo Eklis with vthiris diuers (Signed) W. Abbote of Corsraguell, Dame Issabell Campbell countes of Cassillis w^{t} my hand on ye pen J. Kennedy.

Abstract.

Contract between William, Abbot of Crosraguel, tutor to Gilbert, Earl of Cassillis, and Mr. James Kennedy, chamberlain to the Earl and Dame Isobel Campbell, countess of Cassillis, deceased, bearing that the countess being superexpended in her account with the abbot and chamberlain, for sums of money, goods, and victual, intromitted with and received by her since the decease of her husband, and which had belonged to him, to the amount of £300 money of Scotland; therefore the Abbot as tutor, and Mr. James Kennedy as chamberlain, assign the countess in and to the half of the fruits of the church and parsonage of Maybole, etc., 29th January 1528.

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51. *Slaughter—Deadly Feud.*—[1528].[1]

Jul. 28 (Apud Striveling).—Alexander Kennedy of Bargany,[2] and Hugh his son, John Mure of Auchindrane,[3] and James his brother, Gilbert Kennedy of Kirkmichall, James K. of Blarequhane, Sir David Blacater, Curate of Girvane, Thomas Corry of Keldwood, Thomas K. of Coiff, Alexander K. brother of James of Knokdone,[4] Alex. K. of Glentig, William Abbot of Corsragwell, Gilbert K. of Barmaclannochane,[5] Mr. Walter K., James K., son and heir-apparent of Patrick of Drumnellane, John K., son and heir-apparent of Gilbert of Kirkmechell, Thomas K., son of Alex. of Bargany, Hugh K., son of Thomas of Dunneyne, David K., brother of the Laird of Kirkmechell, Alex. K. of Zet, Thomas K. of Dunneyne, John K. of Bennane, Mungo Eklis of that Ilk, Patrick K. of Drumnellane, etc. (in all seventy-five persons), delated for art and part of the cruel slaugher of vmq^{le} Robert Campbell in Lochferguss,[6] Alexander Kirkwod, and Patrick Wilsone.

Mr. Walter Kennedy, Rector of Douglas, David his brother, James K., Thomas Boswell, Sir George Davidsone, John K., William Wricht and Duncan MaKrinnyll, chaplains, and George Berclay, Parish-clerk of . . . , were replegiated by Sir Robert Weyms, Chaplain and Commissary of Gawin, Archbishop of Glasgow, and found caution to underly the law for the above crime.

John Kennedy of Bardrochat, Thomas Murdoch of that Ilk, James Kennedy, brother of the Rector of Douglass, James Makrinnyll of Barneill, and seven others, found caution to underly the law for the same crime, at the Justice-aire of Aire, etc.

52. *Letter of Reversion by David Kennedy of Pennyglen to William Abbot of Crosraguel of the Lands of Altichapel.*—[1529.][7]

Be it kend tyll all men be thir present lettrez me Dauid Kennedy of Pennyglen to be bundin and oblist and be thir my Lettrez of Reuersioun

[1] Pitcairn's *Criminal Trials*, vol. i. part i. p. 138.

[2] The instigator of the assault and murder, and a leading figure in the civil commotions of the time.

[3] This family was originally of Monyhagen. This John Mure's son was the notorious Auchindraine of Sir Walter Scott's Ayrshire Tragedy, executed in 1611.

[4] Three miles west of Maybole. The Kennedies of Knockdon owned the Black House in Maybole, and were of some importance.

[5] Killed at the battle of Faaside, 1547.

[6] Probably one of the fatal feuds which resulted from the murder of the second Earl of Cassillis by Hugh Campbell (v. note on No. 50).

[7] *Culzean Muniments*, No. 291.

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lelely and trewly be the faith and treuth in my body byndis and oblissis me myn airis and assignais to ane venerable fader in God Williame be the permissioun of the samyn Abbot of Corsragwell his convent and successouris that nochtwithstandin that the said venerable fader and his convent has infeft me heretably be charter and sasing in all and hale thair merk land of Alticappill callit Makcubeynstoun the qukilk merk land I redemyt fra Gilbert Fergussoun son to Dunkane Fergussoun of Kyilkarane[1] liand within the erldome of Carryk and the scherefdome of Air lyk as the charter and euidentis maid to me thairupoun mair fullely proportis neuirtheles I will and I grant and als byndis and oblissis me myn airis and assignais that quhat time or howsoyne the said venerable fader Williame Abbot of Corsragwell his successouris or thair assignais warnis or garris warne me myn airis or assignais at our duelling place or placis or personaly apprehendit befoir ane notar and sufficient witnes on fourty dayis to cum and compeir in the college kyrk of Mabole and thair vpoun the hie altir of the samyn to ressaif the sovm of twenty pundis gude and vsuale money of Scotland hale and togidder vpon a day betuix the sone rising and ganging to rest of the samyn day togidder with ane letter of tak of the said merk land of Alticappill callit M'Cubeynstoun in dew and sufficient forme for the space and termis of fif zeris nixt eftir the redemptioun and lowsing of the samyn for fourty schillingis of male zeirly becaus the said Gilbert had sa mony zeris tak quhen I redemyt the samyn for the said fourty schillingis of male zeirly allanerly that I myn airis or assignais quhilkis happinnis to be warnyt for the tyme sall reddely compeir at day and place of warnyng geif he or thai will deliuer the said sovm of twenty pundis and letter of tak foirsaid and ressaif the samyn and incontinent eftir the deliuerance and ressait of the said sovm sall puirly and symply be staf and bastoun as maner is resigne and ouirgeif the said merk land of Alticappill callit M'Cubeynstoun in the handis of the said venerable fader his successouris or thair assignais quhilkis happinnis to deliuer the said sovm of xx^{ti} lib. and lettir of tak foirsaid our ouir loirdis of the samyn togidder with all charteris instrumentis of sasing and all vthir maner of euidentis that I myn airis or assignais had hes or mycht haif in and to the said merk land excepand the rycht of the said lettir of tak for the spaice of fif zeris for xl s. of male allanerly togidder with all rycht titill of rycht prapirte and possessioun that I myn airis or assignais

[1] Kilkerran Castle stands some miles south-west of the modern mansion, and is now a ruin. This Duncan had also the place of Burnfute (*Books of Adjournal*).

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had hes or micht haif thairto ony maner of way and geif it sall happin me myn airis or assignais to absant ws wilfully or fraudfully and will nocht cum to the saidis day and place of warnyng and will nocht ressaif the said sovm of xx^{tj} lib. and lettir of tak foirsaid nor zit resigne the said landis the warnyng beand maid as said is and the saidis Abbot his successouris or assignais cumand to the saidis day and place of warnyng and bringand with him or thame the sovm of twenty lib. togidder with the said lettir of tak and nowmerand and telland the said sovm of money apon the said altir and nocht takand it away and lettir of tak foirsaid be him nor thame nor na vthir throu thame nor nane that thai ma lett bot leifand it thair vpon the said altir in sikkyr and souirte keping to the vtilite and proffett of me myn airis or assignais Than I will and I grant for me myn airis and assignais that the said Abbot and convent and thair successouris be in siclyk state and possessioun as thai had beyne resignit or as thai brokit befoir ony infeftment and I myn airis neuir to mak pley in the contrair bot alluterly to be excludit thairfra for euirmair but fraud or gyle excepand the rycht of the said letter of tak for the space of fif zeris as said is In witnes of the quhilk thing to thir my present Lettres of Reuersioun subscryuit with my hand my seil is affixt at Corsragwell the day of the zeir of God J^{m} v^{c} twenty and nyne befoir thir witnes Thomas Kennedy of the Coif Maister James Kennedy vicar of Dunscoir George Barklay Schir Johne Kennedy prebendar of Mabole and Schir George Blair chaplane and public notar with wtheris diuers.

Dawid Kennedy w^{t} my hand.

Abstract.

Letter of Reversion by David Kennedy of Pennyglen to William Abbot of Crosraguel, bearing the abbot having infeft him the said David Kennedy in the merk land of Alticapel alias Macubinston, lying in the earldom of Carrick, and which the said David Kennedy redeemed from Gilbert Fergus-

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son, son of Duncan Fergusson of Kilkerran; yet, nevertheless, the said David Kennedy obliges him and his heirs upon the abbot and his successors paying to him or them, in the church of Maybole, the sum of £20 money of Scotland, that they shall resign in the hands of the abbot or his aforesaid the said merk land of Alticapel, with all right and title which they had thereto and declare the same redeemed. 1529.

53. *Licence to William Abbot of Crosraguel, to pass beyond sea on his Pilgrimage.*—[*8th April* 1530.][1]

Apr. 8, 1530. Licence to William, Abbot of our Abbay of Corsragwell, Commendatare of Halywode, and tutour to Gilbert Erle of Cassillis, his Cheif, to pas in France and uther partis bexond sey, to do his Pilgrimage, etc.; and granting a Respite and Saufgarde to him, his kyn, frendis, men, tenentis, etc.

54. *Signature by James V. to William Abbot of Crosraguel.*—[12*th April* 1530.][2]

Our Soverane Lord with avis and consent of his thesaurar ordanis ane Lettre be maid undir his prive sele in dew forme to ane venerabill fader in God Williame Abbot of the abbay of Corsraguell and Sir Johne Kennedy prebendar of Mayboill conjunctlie and severalie thair airis and assignais ane or ma of the gift of the ward of the x lib. land of auld extent of the Row with the mylne thairof and thair pertinentis liand in the balliery of Carrik and within the schirefdome of Air quhat tyme it sall happin the samyn to fall in our Soverane Lordis handis be resone of ward throw deceis of Gelis Blair[3] conjunct fear thairof with all males fermes proffittis and dewiteis of the samyn during the tyme of the said ward and ay and quhill the lauchfull entre of the rychtius air or airis thairto being of lauchfull age with the relefe thairof quhen it sall happin with power to the said venerabill fader and Sir Johne conjunctlie and severalie thair airis and assignais to intromet and tak up the males fermes proffittis and dewiteis of the saidis landis and mylne with the pertinentis at thair awin hand during all the tyme of the said ward relefe and nonentres thairof and to dispone thairon at thair plesuer and to occupy the saidis landis and mylne with thair avne gudis or to set thame to tenentis as thai sall think maist expedient during the said

[1] Pitcairn's *Criminal Trials*, part i. p. 245. [2] *Culzean Muniments*, No. 295.
[3] V. note on No. 54.

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space with court playnt herezeldis and merchetis lawfull amerciamentis and eschetis of the saidis courtis and all and sindrie othiris commoditeis fredomes etc., ffrelie quietlie etc., but ony revocatioun, etc. And that the said lettre be extendit in the best forme with all clausis necessar Subscrivit be our Soverane Lord and his thesaurare at Striveling the xij day of Aprile the yeir of God j^{m} v^{c} xxx zeris. Composicio liij lib. vj s. viij d.

(Signed) JAMES.

ROBERTUS thesaurarius.

Hec est vera copia principalis signature super premissis remanentis per me Jacobum Bannatyne copiata et collationata sub meis signo et subscriptione manualibus. JACOBUS BANNATYNE.

ABSTRACT.

Signature by King James V. to William, abbot of Crosraguel, and Sir John Kennedy, prebendary of Maybole, of the gift of the ward of the £10 land of Row, with the mill thereof, lying in the bailiary of Carrick, and that so long as the same shall fall in his Grace's hands by reason of ward, by and through the decease of Giles [Egidia] Blair, conjunct fiar thereof, with all mails, fermes, profits, and duties of the same during the said ward, and until the entry of the righteous heir thereto being of lawful age, with the relief thereof when it shall happen. 12th April 1530.

55. *Copy of the Deed of Settlement of Egidia Blair, Lady Row, who lived in Carrick, in the County of Air, executed on the* 31*st August* 1530.[1]

Seeing nothing is more certain than death, or more uncertain than the hour of death, therefore it is, that I Egidia Blair,[2] Lady Row, although weak in body yet sound in mind, blessed be God, make my testament as follows: In the first place, I give and bequeath my soul to God Almighty, and the blessed Virgin Mary, and to all saints, and my body to be buried in the monastery of Crossraguel, in the blessed Virgin's aisle.[3] I likewise bequeath

[1] Aiton's *Survey of Ayrshire*, Appendix, No. 1, p. 703. A notarial copy of this deed, written in Latin, was found in the charter-chest of Sir John Whytefurd in 1796. A correct double of it was taken aud translated into English by Sir Adam Fergusson, Bart., of Kilkerran, as above.

[2] Egidia, eldest daughter of John Blair of that Ilk, married James Kennedy of Baltersan and Lord of Row (v. No. 54 *supra*), son of Gilbert first Lord Kennedy.

[3] After three and a half centuries, her tomb was found in 1882 through the excavations conducted by our Society under Mr. Morris; which proves her instructions to have been literally carried out (see the remarks on the Buildings, *infra*).

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four pennies towards the fabric of the church of Saint Mungo.[1] And I appoint and ordain for my executors, David Kennedy of Pennyglen, and Sir John Kennedy, Prebendary of Maybole, and the Reverend Father in Christ, William, by divine permission, abbot and superior of the monastery of Crossraguel.

INVENTORY OF MY GOODS.

Imprimis. I confess myself to have sixty-one cows, the price of the piece two merks, summa, eighty-two pounds. *Item*, twenty-nine oxen, the price of each, thirty shillings, sum, forty-three pounds ten shillings. *Item*, fifteen two year olds, the price, per piece, one merk, sum, ten pounds. *Item*, nine sterks, the price, per piece, eight shillings, sum, three pounds twelve shillings. *Item*, five hundred and forty-three sheep, the price, per piece, five shillings, sum, one hundred and sixty-two pounds ten shillings. *Item*, four score and ten lambs, the price of the piece, sixteen pennies, sum, six pounds. *Item*, in victual, viz., in bear and meal, one hundred and eighty-two bolls, the price of the boll, twelve shillings, sum, one hundred and twenty-one pounds four shillings *Item*, one hundred and sixty bolls of oats, the price of the boll, six shillings, sum, fifty-four pounds. *Item*, horses, mares, and stags in the muir, the price of them all, thirty pounds. *Item*, in utensils and domicills, forty pounds. *Item*, for the rents and profits of Row, twenty pounds.

Sum of the inventory, five hundred and thirty-four pounds fourteen shillings.

There are no debts due to me.

The debts which are resting by me to others.

Imprimis. To the Earl of Cassillis, two hundred merks, whom I earnestly beg and intreat to defend my executors, from oppressors, and the violence of oppressors, that they may quietly and freely dispose of my goods for the health of my soul. *Item*, to David Kennedy, forty-two merks, and one half as the remainder of the tocher. *Item*, to the abbot and convent of Crossraguel, for the farms of Balchrystyne and Baltersyne,[2] six pounds. *Item*, to the Lord Cassillis for the farms of lands, twelve pounds.

Sum of the debts, eight score and nine pounds thirteen shillings four pennies.

1 *i.e.* The Cathedral Church of Glasgow.

2 Thus Baltersan must have been still the property of the Abbey. The baronial castle was probably not built till later on in the century, as this will is dated at Lady Row's "*dwelling-house*" in Baltersan.

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Legacies.

Imprimis, I leave and bequeath to the convent of Crosraguel, twenty pounds. *Item*, to the Minim Friars of Ayr,[1] forty pounds. *Item*, to the Dominican Friars[2] of Ayr, five merks. *Item*, to the Friars of Irvine, five merks. *Item*, to John Whitefurd, forty pounds. *Item*, to my executors, forty pounds, to be divided equally amongst them. *Item*, to Alexander Blair, ten merks. *Item*, to Marion M'Ilquhan, two two-year olds and six sheep. *Item*, to Bessie Davidson, two sheep and two lambs. *Item*, to John M'Coury, twenty merks. *Item*, to Fergus M'Mury, twenty pounds. *Item*, for building an altar in the church of Saint Oswald, twenty merks. *Item*, to my brother William's daughter, spouse to Richard Lockhart, twenty merks. *Item*, to Hugh Kennedy, my sister's son, twenty merks. *Item*, to Bessie Whytefurd, twenty merks. *Item*, to James Kennedy, baillie of Carrick, twenty merks, conditionally, that he assist and defend my executors, and do not suffer them to be disturbed or molested by himself, or any person, otherways I do not leave him the said twenty merks. *Item*, to Sir George Blair, chaplain, twenty merks, six bolls bear and four stones weight of cheese. *Item*, to Sir John Rays, two bolls of meal, one boll of wheat, and three stone of cheese. Item to Sir William Cristal, one boll of meal, and one stone of cheese. *Item*, to Thomas Ferguson, Dominican chaplain of Kirkoswald,[3] one boll of meal. *Item*, to the curate of Kirkoswald, one boll of meal. *Item*, to Sir William Johnstoun, one boll of meal. *Item*, to John M'Mury's wife, a black gown. *Item*, to Cristine Hynd, a russet gown. *Item*, to John Steell, a black coat. *Item*, I leave the web at the weavers, to Fergus M'Mury, a suit of the said web. *Item*, to Sir John Kennedy, a gown of the said web. *Item*, to John Whytefurd, a coat of said web. Also to Sir John Rays, a gown of said web. *Item*, to the poor woman the cripple at Maybole, two firlots of meal. *Item*, I bequeath my uncle, John Whytefurd for his maintenance, during the space

[1] The Minim or Gray Friars had a convent in Ayr, founded by the inhabitants in 1472. They were of the Observantine order. The present parish church is built on the site of the convent.

[2] The House of the Friars Preachers in Ayr was founded by Alexander II., and liberally endowed during this century (v. *Charters of the Friars Preachers of Ayr*, published by this Association). They were also called Black Friars, from their habit.

[3] Probably a missionary from the Dominican Friars at Ayr. The *curate* was the functionary appointed by the Abbey.

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of one year, eight bolls of meal, and four stones of cheese. As also to the said John Whytefurd two silver spoons, and likewise to the said John Whytefurd, other eight bolls of meal, to be received by David Hynd, in his name for the maintenance of the said John, for another year, and that out of the current year's farm, out of the mill of Row, so that the said David Hynd shall have the maintenance of the said John for two years. If the money given out and bequeathed by me to the said John Whytefurd and David Hynd, be not laid out upon land within two years for the use and profit of the said John Whytefurd. *Item*, I bequeath to the said Whytefurd, two pairs of blankets, two coverings, two pairs sheets, and a bedcover. *Item*, to David Kennedy of Pennyglen, four ells of linen cloth of russet, and two linen table cloths, and two towels of the same. *Item*, to Sir John Kennedy, one table cloth, the small board cloth, and one towel of the same. *Item*, I leave to John Whytefurd, the stone of wool in his mother's possession, for making clothes to him the said John; and the cloth made or to be made of the said wool, is to be delivered to David Hynd, in name and for behoof of the said John Whytefurd, and the stone of wool in the hand of John M'Mury's wife, I leave to Fergus M'Mury, her son, to be made into clothes for him. *Item*, I leave all my goods whatever they be to John Whytefurd. *Item*, I leave to Margaret M'Kellar, two firlots of meal. *Item*, to the chaplains and friars on the day of my burial, twenty merks. *Item*, to the poor upon the said day, forty shillings in drink, and a chalder of meal, and ten stones of cheese. *Item*, to the Minim Friars of Ayr, two pair of blankets, three bed-ruggs, and one bedcover of needlework. *Item*, to Cristine Adumnell, two pair of sheets, and two coverings or bed-ruggs. *Item*, to Fergus M'Mury, one chest standing in my chamber, and one bolster or pillow. *Item*, to Navin Dunning, two firlots of meal. *Item*, to Ambrose Lace, twenty shillings. *Item*, to Bessie Davidson, one firlot of meal. Item I bequeath the residue and remainder of all my goods for building my part of the bridge, upon the Water of Girvan, formerly built by me; and if any thing remain over and above, I bequeath the same to the poor, to be laid out at the discretion of my executors.

This Testament was made at my dwelling-house of Baltersyne,[1] the last day of August one thousand five hundred and thirty, before these witnesses, John M'Mury, Fergus M'Mury, Alexander Blair, and Sir

[1] It would thus seem that the Castle of Baltersan was not yet built. It was probably the work of the next proprietor.

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George Blair, chaplain and notary public, and my executors, with divers others. In witness whereof my seal is hereto affixed, with my own hand, together with the subscription of the notary public underwritten, year, day of the month, and place above mentioned.

Ita et Georgius Blair, Notarius manu propria.

We Gavin, by the mercy of God Archbishop of Glasgow, approve, ratify, and by the tenor of these presents, confirm this present testament and inventory of goods, and the executors therein named, by appointing them executors-dative to the same, and committing to them the free administration of the subjects before written, and all other subjects omitted out of this present testament, having received and taken the usual and accustomed oath, of faithfully administering and holding compt as use is. Given under our round seal, at our city of Glasgow, the twenty-eighth day of September, in the year of our Lord one thousand five hundred and thirty years, and of our Consecration the Sixth year.

[Follows the Secretary's Subscription.]

Jo. Louder and Verrvt Qz. ny.

Hæc est vera copia testamenti Quondam Egidiæ Blair Dominæ de Row cum principali collatione in omnibus concordans transcriptum per me Magistrum David Gibson, notarium publicum teste manuali mea subscriptione. Ita et David Gibson, notarius publicus sua manu propria subscripsit.

56. *Letter of Assedation by William Abbot of Crosraguel to James Kennedy of Blairquhan.*[1]—[30*th September* 1534.][2]

Be it kend to all men be thir present lettres ws Williame be the permissione of God Abbot of Crosraguell to hawe sett and for maile lattin and be thir present lettres settis and for maile lattis to ane honorable man James Kennedy of Blarquhane his airis assignais and subtenentis ane or maye All and haill our frwtis of the personagis of his awin three scoir twa

[1] The first mention of an actual *lease* of lands in these papers. Leases are seldom seen in Scotland before the 16th century.

[2] *Culzean Muniments*, No. 324.

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merkland within the parochyne of Stratone[1] with their pertinentis liande within our said parochin and the erldom of Carrik for all the dais and termis of fiwe zeiris thair entrie to the said tak begynand at the feist of Belthane nixt to cum eftir the daye of the dait herof and thareftyr to enduir ay and quhill the saidis fiwe zeiris be full and togiddyr compleit and outrunin with fre ische and entre and with all and syndry vthirris comoditeis fredomis asiamentis and richtius pertinentis quhatsumeuir pertening or that richtiuslie ma pertene tharto during the said space frelie quietlie vile and in peax but ony reuocatioun or agayne calling quhatsumeuir The said James his airis assignais and subtenentis forsaidis or thair factouris paiyand tharfoir zerlie during the said fiwe zeris to ws our successouris assignais or factouris the sovme of fowrtye poundis vsuall mone of the realme at twa termis in the zeir That is to saye Mydsummer and Sanctandrois day be ewinlie portionis of maile alanerlie And we forsuith and our successouris sall warrand acquiet and defend to the said James his airis assignais and subtennentis foirsaidis this present tak and assedatione in all and be all thingis as is abwne expremit during the said space aganis all deidlie defend as lawe vile but fraud or gile. In vitnes of the quhilk thing to thir our lettres of assedacione subscrywit with our hand our seile is affixt at Crosraguell the last day of September the zeir of God a thousand v^{c} threttye and fowr zeris befoir thir vitnes. W. Abbot of Crosragwell.

1 Straiton Church was the property of Crosraguel till the Reformation (v. note on No. 2 *supra*). The south transept of the old church still stands, and is the pew of the Blairquhan family. It is of 14th century workmanship.

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ABSTRACT.

Letter of Assedation by William Abbot of Crosraguel to James Kennedy of Blairquhan of the parsonage fruits of his sixty-two merk land lying in the parish of Straiton and earldom of Carrick, and that for the space of five years from the feast of Beltan then next, and for payment yearly of £40 money of Scotland at the terms of Midsummer and St. Andrew's Day. 30th September 1534.

57. *Letter by Henry, Bishop of Galloway, to the factors of the Abbot of Crosraguel.*—[*5th July* 1536.][1]

Jhone Makmaister and maister Patrik Ryschert the fauctouris and servandis to my lord of Corsragall of the Kirkis of the Inche and Laisquhait[2] this our precept seyne ye ansuer Niniane Boyd our servitour of the sovm of xix ƫi xij s v d. quhilk salbe thankfullye allowit to you in our mydsymmer term last by past Subscriit with our hand at the Inche the fift day of Julij in the year of God M.vxxxvj yeris.

Item ye sall answeyr attour the sowm aboune writtyn iij ƫi xv s x d.

H. bischop of Galloway.

(*Dorso*)

Item to the Grayfreris of Ayr xl s. for ther mydsomer term.

Item the teynd of Kylbuite pe in the xxxv zers crop viij ƫi.

58. *Letter by Henry, Bishop of Galloway, to the Abbot of Crosraguel.*—[*5th December* 1536.][3]

My lord of Crosragwell and fermorar of the Kirkis of Inche[4] and Leswalt Ye sall content and ansuer my lord of Cassillis of the sowm

[1] *Culzean Muniments*, No. 338.

[2] *i.e.* Leswalt, both in Galloway. We know from the MS. Rental Book that the Earl of Cassillis had a lease of the revenues of these churches in 1562 for the sum of £173 : 6 : 8 (pp. 68, 71, 86); but from these two letters the Abbot of Crosraguel was now the tacksman, either as curator for the Earl (which office we know that he still held from a paper in the Culzean chest) or in right of his abbey.

[3] *Culzean Muniments*, No. 335.

[4] This church belonged to the bishopric of Galloway, and Leswalt to the Abbey of Tungland, of which the Bishop was commendator.

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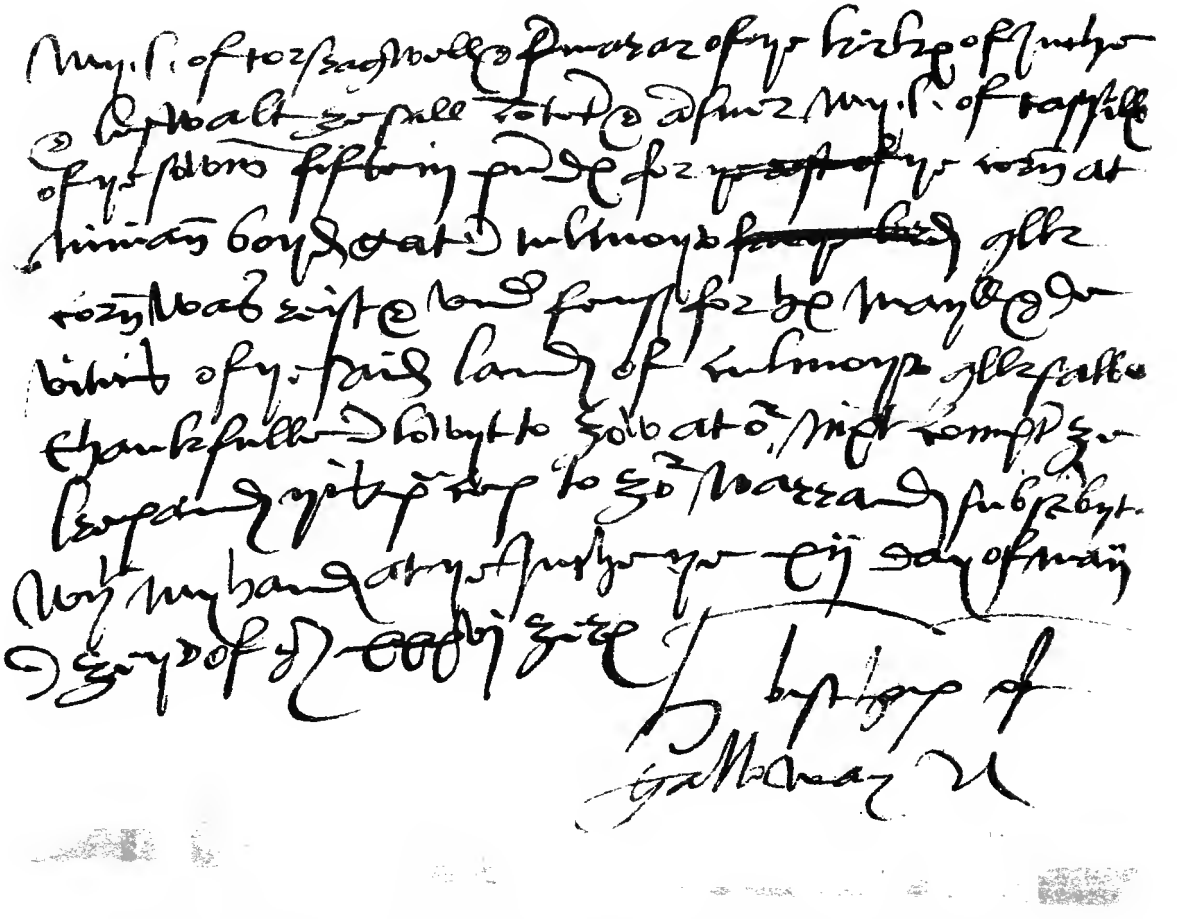

LETTER BY HENRY BISHOP OF GALLOWAY TO THE ABBOT OF CROSRAGUEL.

Ayr & Galloway Archæol. Assoc. 1886

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of fiftein pundis for the corn at Ninian Boyd gat in Culmoyr[1] quhilk corn was reist and under fenss for his mayll and dewiteis of the said land of Culmoyr quhilk salbe thankfulle inlowyt to yow at our nixt compt ye kepand this precep to your warrand Subscribyt wyth my hand at the Inche the xii day of Maij in yeir of the xxxvj zeris.

H. bischop of Galloway.

59. *Discharge by William Abbot of Crosraguel to the Earl of Cassillis.*[2]—[17*th February* 1539.][3]

We Williame Abbot of Corsraguill havand to us oure airis and assignais the warde releiff and nonentres of all and sindrie the landis baith propirte and tennandrie with thare pertinentis quhilkis pertenit to vmquhile Gilbert Erle of Cassillis oure derrest bruthir and throu his deces being in oure soverane Lordis handis be resoun of waird and the samin disponit be his grace to vmquhile Archibald Douglas sumtyme of Kilspindy quha sauld and disponit the samin waird releif and nonentres to ws oure airis and assignayis be the tenoure herof grantis ws to haue ressauit fra oure derrest and maist belouit cousing Gilbert Erle of Cassillis Lord Kennedy etc. sone and aire to oure foirsaid bruthir full and compleit satisfactioun and payment of all malis fermes proffittis and dewiteis of the propirte of all and sindrie the landis and baronys of Dalrimpill and Cassillis with thare pertinentis liand within the baillierie of Carrik within the scherefdome of Are of all zeris and termes bigane sen the deces of the said vmquhile Gilbert to oure said cousingis entres and saising of the samin intromettit with be him or his factouris and als of the releif of the samin off the quhilkis malis fermis proffittis and dewiteis of the propirte of the foirsaidis landis and baronyis with thare pertinentis and releif of the samin of the termes abonewrittin we hald ws weill contenit and payit and quitclames and discharges oure said cousing his airis executouris and assignais thairof foreuir be thir presentis subscriuit with oure hand at Edinburgh the xxvij day of Februare the zere of God j^{m} v^{c} xxx and nyne zeris before thir witnes Thomas Corre of Keldwod Maister George Kennedy

[1] In the old parish of Clashant, now in Stoneykirk, in Galloway. Afterwards the property of the M'Dowalls of Garthland in 1636 (*Wigton Retours*, 45, 98, 177).

[2] Served heir to his father on 14th October 1538.

[3] *Culzean Muniments*, No. 382.

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vicare of Halywod[1] and Sir George Dauidsoune chapellane and notare public with vtheris divers. W. Abbot of Crosragwell.

ABSTRACT.

Discharge by William Abbot of Crosraguel to Gilbert Earl of Cassillis, bearing the Abbot having right to the ward, relief, and nonentry duties of the lands, both property and tenandry, which belonged to the deceased Gilbert Earl of Cassillis his brother, by disposition thereof granted to him the Abbot by the deceased Archibald Douglas of Kilspindy, who again had the same by gift of our Sovereign Lord, and subsuming that having received from the earl his nephew, son and heir of the deceased earl, full payment of the mails, farms, profits, and duties of the baronies of Cassillis and Dalrymple, of all years and terms bygone since the decease of the late earl, therefore discharges the said Gilbert now Earl of Cassillis, his heirs and executors thereof. 17th February 1539.

60. *The Abbot of Crosraguel to the Earl of Cassillis.*—
[23*d March* 1544-5.][2]

My Lord, efter hartlie comendationes, I have resauit zo^r^ vritingis, and hes onderstand ye effect of ye samyne and zo^r^ madis ar laborit all to gude purpose y^r^for It var best ze var at hame[3] gif ze may obtene ye kingis paud^ng^ (*sic*) yairto as I heir say ye may. for yair is mony cummeris[4] now and veray gret trublis now in zo^r^ absens and mony onfreindis and fewer freindis for ze ar evill luifit be my lord Governo^r^ and diwers noblis of ye realme for zo^r^ deperting aganis in Ingland and zo^r^ freindis sichlike for zo^r^ causs as ye berar can schaw zou better nor I can vrit quhomto zo^r^ L. sall

[1] Evidently appointed by his cousin Abbot William of Crosraguel, the commendator.

[2] *State Papers*, in the Public Record Office, London (communicated to the Editor by Mr. Joseph Bain).

[3] The Earl had been taken prisoner at the battle of Solway Moss in 1542 and conveyed to England. There he was placed under Archbishop Cranmer and converted to the Protestant religion. He procured hostages and returned home in 1543 to promote the marriage of Queen Mary with Prince Edward. His hostages were his uncle Thomas Kennedy of Coiff and his two brothers, whom he seems to have neglected until they were threatened with execution. He then returned to England (as alluded to in this letter) early in 1545, and was immediately permitted to return home loaded with presents (Tytler's *History;* Paterson, ii. 331).

[4] "Quarrels."

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gif credence And Iesus have zo^{r} L. in his keping At Crosrag^{ll} ye xxiij day of Merche be zo^{r} L / EYME [1] of Crosragwell.

(Addressed) To my lord of Cassillis R.

[The paper folded as a letter; trace of red wax seal on back.]

ABSTRACT.

Letter from William Abbot of Crosraguel to the Earl of Cassillis, wishing him home, as there are many troubles in his absence, and he is evil loved by the Lord Governor for his departing again into England; commits him to the care of Jesus; from Crosraguel, 23d March [1545].

61. *The Abbot of Crosraguel not to set the Fruits of the Abbey to the Earl of Cassillis or James Gordon of Lochinver.*—[22*d November* 1546.] [2]

Apud Sanctum Andream vigesimo secundo Novembris, anno etc. v xlvi^{to}

The quhilk day, in presens of my lord Governour and lordis of Counsall comperit Gilbert eirle of Cassillis on that ane pairt, and hes bundin and oblist him to cause William Abbot of Corsraguill, . . . and emolymentis therof, and in likwise James Gordoun of Lochinver on that uthair pairt, hes bundin and oblist him to cause Maister William Gordoun dene of Dunblane, to gif over his takkis that he hes of the said abbay rentis and emolumentis thairof, betwix this and the xx day of December nixt to cum; and the said abbot hes dischargeit, and be the tennour heirof dischargeis, the said eirle, William abbot of Corsraguill thair souerteis actit in the officialis buikis of Glasgow off the dait at Glasgow the xxv day of Januar the yeir of God j^{m} v^{c} xliiij yeiris for payment to him of the soume contenit in the said tak; and siclik hes dischargeit and dischargeis the said lard of Lochinver and the said Maister William and thair soverteis actit in the officialis bukis of Edinburgh, for payment to him of the soume contenit in the said Mr. Williamis tak. Attour, the said abbot hes, in presens of my lord Governour and lordis of Counsale, promittit and promittis, that he sall nowthair sett his said abbay nor frutis and emolumentis to the said eirle of Cassillis, na to

[1] "Uncle."

[2] *Register of the Privy Council of Scotland*, vol. i. pp. 51-2.

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the said James Gordoun of Lochinver, thair kin, freindis, nor servandis, bot hald the samin still in his awin handis, and uptak the fruitis and emolumentis thairof be himself, his chalmerlanis, and factouris: and for the mair securite, all the saidis parteis ar contentit that this present writing be insert in the buikis of counsale and to have the strenth of ane act and decreit of the saidis lordis of counsale, with executorialis thairupoun, to compel thame to fulfill the samin in all pointis: In witness of the quhilkis, all the saidis personis hes subscryvit the samin with thair handis, day, yeir and place forsaidis: Providing alwayis that my Lord of Cassillis satisfy and pay to the said abbot the males and dewteis taikin up be [him] in tymes bigane be vertew of the said tak.

62. *The Contribution of Crosraguel Abbey to the General Taxation of the Church.*—[1546 ?][1]

Taxatio super Scoticana Ecclesia. Seculi xvi. . . .

Prelaturæ.[2]

Monasterium de Corsragwel . . . . xiii lib. xv sol. x den.

63. *Discharge by Quintin Abbot of Crosraguel to the Earl of Cassillis of all the goods of the late Abbot William.*—[1st *February* 1547-8.][3]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter quod anno incarnationis dominice millesimo quingentesimo quadragesimo septimo mensis vero Februarii die primo indictione sexta pontificatusque sanctissimi in Christo patris et domini nostri Pauli diuina

[1] *Registrum Episcopatus Glasguensis*, p. lxxi.

[2] This appears to have been to pay the expenses of the deputies to the Council of Trent in 1546. Mr. Thomas Dickson, of the General Register House, Edinburgh, has kindly forwarded me the following notes from the *Libellus Taxationum*, or the sums levied from Crosraguel in various taxations of all benefices in Scotland above the annual value of £40:—

Taxation	£18,000	Crosraguel	£72	19	1
,,	8,000	,,	45	7	3½
,,	5,000	,,	27	11	9
,,	3,000	,,	17	15	6½
For the expenses of the deputies to the Council of Trent . .	2,500	,,	13	15	10½

[3] *Culzean Muniments*, No. 516.

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prouidentia pape tertii anno decimo quarto In nostrorum notariorum publicorum testiumque subscriptorum presentia personaliter constitutus venerabilis in Christo pater Quintinus[1] permissione diuina nunc abbas monasterii Crucis Regalis ordinis Cluniacensis infra diocesim Glasguensem religiosus etiam vir dompnus Robertus Makewin subprior dicti loci totusque conuentus eiusdem ad hoc vnanimiter congregati Magnificantes fidelitatem nobilis et potentis domini Gilberti comitis de Cassillis ipsorum balliui, quem tempore mortis quondam bone memorie Willelmi vltimi abbatis dicti loci ipsi subprior et conuentus tunc de Abbate destituti ad custodiam ipsorum monachorum loci et bonorum eorundem donec de novo prouisi fuerint abbate non sine magno desiderio coram circumspecto viro Magistro Johanne Garvane notario publico elegerunt et adoptarunt, Confessi fuerunt et prout tenore presentis publici instrumenti se confitentur recipisse ab ipso comite huiusmodi locum Crucis Regalis omnesque et singulas pecuniarum summas vtensilia domicilia res et bona quecunque tam extra quam infra dictum locum existentia que prefato olim abbati dudum pertinuerunt et nunc ipsis novo abbati et conuentui pertinent per dictum comitem seu magistrum Walterum Kennedy rectorem de Dowglas Dauidem Kennedy de Pennyglene ipsius substitutos vel aliquos alios seruos suos ex dicti comitis mandato tempore suprascripte custodie vsque ad diem date presentium quouismodo intromissa Tenentes se de eisdem bene contentos pacatos plenarie et integre persolutos prefatosque comitem magistrum Walterum Dauidem aliosque seruos dicti comitis premissorum intromissores heredes suos executores et assignatos pro ipsis Abbate conuentu suisque successoribus et assignatis de predictis pecuniarum summis vtensiliis domiciliis rebus et bonis vt supra in custodia habitis et intromissis exonerarunt et quieteclamarunt presentiumque tenore exonerant et quieteclamant imperpetuum Renunciantes simpliciter omnibus actioni cause liti iuri clameo et exceptioni quibuscunque in contrarium allegandis, Pacto de non petendo, sine etiam reuocatione quacunque. Super quibus vero omnibus et singulis sic premissis dictus comes de Cassillis necnon prefatus Dauid Kennedy de Pennyglene a nobis notariis publicis subscriptis ipsis fieri respectiue petierunt instrumenta Acta erant hec infra chorum ecclesie dicti loci Crucis Regalis hora vndecima ante meridiem vel ea circa sub anno die mense indictione et pontificatu quibus supra presentibus ibidem Georgio Corry de Kelwod Roberto Crawfurd de

[1] This was probably one of Quintin's first public acts as Abbot.

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Clolynane Willelmo[1] Dunduff domino iuniore de eodem Dauid Kennedy in Bellard et Adamo Dowglas de Pennyland cum diuersis aliis testibus ad premissa vocatis pariterque rogatis.

Et ego vero Henricus Prestoune clericus Glasguensis diocesis sacraque authoritate apostolica notarius publicus quia premissis omnibus et singulis dum sic vt premittitur dicerentur agerentur et fierent vnacum prenominatis testibus et notario publico subscripto ad hoc etiam requisito personaliter interfui eaque omnia et singula sic fieri sciui vidi et audiui ac in notam cepi ex qua hoc presens publicum instrumentum manu mea propria fideliter scriptum ego et notarius publicus subscriptus confecimus et in hanc publicam formam instrumentalem redegimus signoque et nomine meis solitis et consuetis signavi rogatus et requisitus in fidem robur et testimonium omnium et singulorum premissorum. HENRICUS PRESTOUN.

Et ego vero Joannes Gervane arcium magister clericus Glasguensis diocesis sacraque authoritate apostolica notarius publicus quia premissis omnibus et singulis dum sic (ut premittitur) agerentur dicerentur et fierent vnacum prenominatis testibus presens personaliter interfui eaque omnia et singula sic fieri vidi sciui et audiui ac in notam cepi ex qua hoc presens publicum instrumentum propria manu scriptum confeci et in hanc publicam instrumenti formam cum consensu et concilio notarii publici suprascripti redegi signoque et nomine meis solitis et consuetis signavi in fidem robur et testimonium omnium et singulorum premissorum rogatus et requisitus.

M. JO^ES^ GERVANE no^a^rius pu^cus^ ꝑꝑa ma^v^.

ABSTRACT.

Notarial Instrument certifying that in presence of Henry Prestoun and George Gervane, notaries, and other witnesses, personally compeared Quintin Abbot of the monastery of Crosraguel of the Cluniac order in the diocese of Glasgow, and Sir Robert Makewin subprior of the same place, and whole convent therof, magnifying the faithfulness of Gilbert Earl of Cassillis their

[1] William Stewart of Dunduff, whose family held the lands from now until 1690, when they passed to the Whitefurds. Dunduff Castle still exists on the hills above Dunure in its unfinished state. This William is mentioned in Pitcairn's *Criminal Trials*, as everybody is who had any claim to respectability in those days!

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bailie, whom at the time of the death of William last abbot of the said place, the said subprior and convent, then destitute of an abbot, had elected to the keeping of the said monastery, place and goods thereof, till they were of new provided with an abbot, not without their earnest solicitation, in presence of John Garvane notary public; and acknowledged as they hereby acknowledge that they have received from the said earl all sums of money, utensils, domicils, goods and chattels whatsoever, whether outside or within the said monastery, which formerly belonged to the said late abbot and now to the said new abbot and convent, intromitted with by the said earl, Mr. Walter Kennedy rector of Douglas, David Kennedy of Pennyglen, his substitutes, or any others their servants, by command of the earl, from the time of the foresaid custody to the date of the present instrument; acknowledging themselves fully paid of such sums of money, etc., and discharging and quitclaiming the foresaid earl, Walter and David, of the said sums of money, goods and gear, for themselves and their successors and assignees; and renouncing all action or plea therefor. Done in the choir of the church of the said place of Crosraguel 1st February 1547, before George Corry of Kelwod, Robert Crawfurd of Clolynane, William Dunduff younger of that ilk, David Kennedy in Bellard, and Adam Douglas of Pennyland, with other witnesses.

64. *Gift by Quintin Abbot of Crosraguel to the Earl of Cassillis of the nonentries of certain lands.*—[19*th May* 1548.][1]

Be it kend till all men be thir present lettres us Quintine be the permissioun of God Abbot of Crosragwell and convent of the samyn with ane consent and assent being chepturelie gatherit thairto the utilite and proffit of us and our abbay forsene and considerit and for certane soumes of money payit to us befoirhand be ane noble and michtie Lord Gilbert Erle of Cassillis Lord Kennedy, etc., in our urgent mister and necessite to have gevin grantit and disponit and be the tennour heirof gevis grantis and disponis to the said erle his airis and assignais ane or ma the nonenteres of all and haill the fourtie schilling land of auld extent of Knokgarrane and twenty schilling land of auld extent of Altichapill liand in the erldome of Carrik within the schirefdome of Air being or salbe in our handis or our

[1] *Culzean Muniments*, No. 519.

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predecessouris handis superiouris thairof throw deceis of umquhile Johnne Fergussoun of Knokgarrane or ony vthiris his predecessouris or successouris our last lauchfull immediat tenentis and heretabill possessouris of the samin dewlie infeft thairintill togidder with all malis firmes proffittis and dewiteis of the saidis landis and thair pertinentis of all termes bigane and to cum during the tyme and space of the said nonenteres and ay and quhill the lauchfull intre of the rychtius air or airis thairto being servit and retourit thairof to our soverane Ladyis chapell and havand his hienes preceptis direct to us or our successouris for the tyme thairupoun and obtenand fra us lauchfull sesing and heretable possessioun of the samin as efferis To be haldin and to be had all and hale the said noninteres of the landis abone writtin with all malis firmes proffittis and dewitieis thairof during the said space to the said Erle his airis and assignais ane or ma of us and our successouris with full power to him and his forsaidis to intromet thairwith lift ressave and uptak the saidis malis firmes proffittis and dewiteis of all termes bigane and tocum and to laubour and occupy the saidis landis or ony part thairof with thair awne proppir guidis or to set the samin to tenentis ane or ma as thai sall think maist expedient And to dispone upoun the said nonenteres and failzeand of guidis movable upoun the saidis landis strenzeable for the byroun malis thairof to gar appris the ground for the samin and sua to obtene ane heretabill infeftment of the saidis landis with thair pertinentis eftir the forme of the act of parliament and als the saidis landis with thair pertinentis to be bruikit and josit be the said Erle and his forsaidis be all richt merchis and devisis like as the samin lyis in lenth and breid in houssis bigingis corneland unland mossis muris muresis medois wodis wattiris fischeing fowling halking hunting peit turf cole stane and lyme with courtis amerciamentis eschetis and playntis thairof herezeld and merchite of wemen with commoun pasture fre ische and intre and with all and sindry uthir fredomes asiamentis proffittis and rychtius pertinentis quhatsumevir alswele nocht namit as namit under erth as abone fer and neir to the saidis landis with thair pertinentis during the tyme and space of the noninteres thairof pertening or richtiuslie may pertene thairto be ony maner of way ffrelie quietlie wele and in peax but revocatioun or agane calling quhatsumevir Reservand nevirtheles to us and our successouris the soume of twenty schillingis money of this realme yeirlie to be payit liftit and ressavit out of the saidis landis for the yeirlie fewmale thairof aucht to us befoir the said noninteres quhilk is contenit in our rentale of the samin

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To all Cristen men to whom this present Writing shall come Nicholas Cumytrow Esquier
Bailif of the Chapelrie of Hathiwick yanto the Abbot and Prioresse of Nun Cowton and
and nuchtiw lord Gilbert Ryle of Castellis lord Kennedy of Jn our Regiment
and Disponit to the said Ryle his aires and assignais aire or ma the Mentioned
Schilling land of auld extent of Altirhapill land in the Ryldome of Ca
Kio yanof Thrill Dessis of Kingis Johnne Forgussonn of Enokfawsame
tabill possessis of the said Dillbie Jnfeft yarmitill together wt all maks
Hame and to inny Dwring the tyme and space of the said Mentiewis And
tomit pinsof to our Sentrane ladyis chapell and Hawand hir hirtiis
lauthfull sesing and Heretable possessioun of the said Ad effeis To be Hald
his fiumis profittis and Dellaiis yof Dwring the said space to the said Ryle
and his fursadis to Jntromet yanwt lift wessing and Depal the said mill
and ettirp the said landis or ony part yanof wt yaw abone
to Distrow Upon the said Mentiewis And sarkyand of ymdis mowalis
yroun for the said And sua to obtine and Heretabill Jnfeftment of the said
the said landis wt yaw pertinentis to be Kankit and Jeft be the said
and Bird Jn Houss Bigingis tarmeland Dinland mossis mures wdesis
wt comtis indiamentis esiamentis and plantis yanof Hertzeldis and
fredomis esiamentis pertinentis and wthis pertinentis whatsoeuir
yaw pertinentis Dwring the tyme and space of the Mentiewis yanof
Mole and in the Hy Jnt Renotatioun or ane tailing Jnhatsoeuir
ney of the Realme Jtsilf to be payit lifrit and wsanit onis of the said
Jnhilk Jt shinit in ane Rentale of the said Allanrie Jtsow all
ring the said space may be asfeit or resgnait be ony persoun Jn tymes
of the said Mentiewis of all and Hale the landis fursadis to the said
effeis as is abone expromit against all Deidis Sall Warrand and
tyme to come put Hand of gift Subscriuit wt our Handis the
mynetein day of May the zew of god ane thousand fiue hundrit
lord of Ellyngis maistir Johnne yordane and Henry Prestoun

the permission of God Abbot of Cockersand and Covent of the same with our consent and assent
Abbey present and Chapitrit and for certaine summes of money payit to us before hand be our noble
[illegible] and necessitie to have given granted and disponit and be the tenor hereof gives grantis
[illegible] of all and haill the twelve shilling land of auld rentt of Ince Gerrard and twenty
[illegible] rent the heritage of our being or sallbeth our handis or our predecessors handis sine
[illegible] or any uthir his predecessors or successors our last lawfull immediat tenentis and have
[illegible] maist profittis and delitis of the saidis landis and ane portionis of all tennis be
[illegible] day and quhill the lawfull Infeftment our or our yaris being sufficient and
[illegible] Direct to us or our successors for the tyme yarupon And obtenand fra us
[illegible] and to be had all and hale the said rentis of the landis above rehersit with all ma
[illegible] his aris and assignaris our or ma of us and our successors full power to him
the said make fruits profittis and delitis of all tennis bygane and to cum And to lanbour
the saidis or to set the said to tenentis our or ma as thai sall think maist expedient And
[illegible] the saidis landis sufficiantly for the tyme makis yarof to gar appear the
[illegible] the saidis landis with yar pertinentis Efter the forme of the act of parliament And all
the said tolis and his fersadis Be all eight mithis and devisis lik as the said lands in lentis
[illegible] medowis wodis wattris fishingis fishing hallingis limingis pistrinis tolis stanis [illegible]
and the thirlis of women with thirlis pasturis fowlis and fishis And with all and sundry uthir
[illegible] alsweill not maist as premit under truth as above for and rendir to the saidis landis with
[illegible] or within the may pertene yarto be any manner of way Alwaies quietlie
[illegible] Reservand nevertheless to us and our successors the summe of twenty shillingis mo
[illegible] the saidis landis for the zearlie fellmale yarof ment to us before the said rentis
[illegible] thayrris and sutis quhat sumeir yat to the saidis landis with yar pertinentis dur
[illegible] And we fortifie the saidis abbot and Covent and our successors the gift
[illegible] his aris and assignaris our or ma In all and be all thingis efter the tenor and
[illegible] and acquit and defend lelily and trewlie but fraud or gile In witnesse of the quilk
[illegible] thairof the said abbot and abbey to hingis At our place of cockersand the
[illegible] Witnesse George Lowry of Cultwood Gilbert
[illegible]

[illegible] abbot of Cockersand

[illegible] my hand
[illegible] my hand
[illegible] my hand
[illegible] my hand
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allanerlie ffor all uthir chargeis and service quhatsumevir that to the saidis landis with thair pertinentis during the said space may be askit or requirit be ony persoun in tyme cuming and we forsuith the saidis Abbot and convent and our successouris the gift of the said noninteres of all and hale the landis forsaidis to the said Erle his airis and assignais ane or ma in all and be all thingis eftir the forme and effect as is abone expremit aganis all deidlie sall warrand acquiet and defend lelely and trewlie but fraud or gile In witnes of the quhilk thing to thir our present lettres of gift subscrivit with our handis the commoun sele of our chepture and abbay is hungin at our place of Crosraguell the nyneten day of Maij the yeir of God ane thousand five hundreth fourtie aucht yeirs befoir thir witnessis George Corry of Kelwod Gilbert Bard of Kilhynze [1] Maister Johnne Gervane and Henry Prestoun notaris with uthiris diverss etc. (Signed) Q. Abbot of Crosragwell. Dene Robert M'Kewyne wy^{t} my hand. Dene Johne Cocheran w^{t} my hand. Dene Johne Hoyge v^{t} my hand. Dene Michaell Dewar wy^{t} my hand. Dene Johne Mwre [2] eldar w^{t} my hand. Dene Johne Mwre zongar wyth my hand. Dene Robert Blakadir w^{t} my hand. Dene Newyn M'Kewyn wy^{t} my hand.

[Seal attached: slightly defaced.]

Abstract.

Gift by Quintin Abbot of Crosraguel and convent thereof to Gilbert Earl of Cassillis of the nonentries of the forty shilling land of Knockgarron and twenty shilling land of Alticapel, lying in the earldom of Carrick, then in the hands of the abbot and convent as superiors thereof, by the decease of John Fergusson of Knockgarron, last immediate tenant of the same, with the mails, fermes, profits, and duties thereof, of all years bygone and to come during the said nonentry, and until the entry of the righteous heir thereto: reserving to the abbot and convent and their successors the sum of twenty shillings money of Scotland, to be uplifted and paid from the said lands as the yearly feu-duty thereof.—19th May 1548.

[1] Kilhenzie Castle lies on a rising ground south of Maybole, and the picturesque ruins are still visible. It was granted to one Thomas Kennedy in 1429 with its lands, which were acquired about 1500 by the Bairds. They held it until 1620, when it again passed into the hands of the Kennedies.

[2] Afterwards sub-prior, v. No. 67.

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65. *Testamentum quondam reverendissimi patris et domini Gavini archiepiscopi Glasguensis ac monasterii Insule missarum perpetui commendatarii.*—[*Confirmed* 31*st May* 1548.][1]

Inventarium bonorum depositi et debitorum quondam recolende memorie reverendissimi in Christo patris et domini domini Gavini[2] miseratione divina Glasguensis archiepiscopi.

Imprimis: utensilia et domicilia dicti quondam domini Gavini Glasguensis archiepiscopi existentia in manibus quondam venerabilis in Christo patris et domini Willelmi abbatis de Corsraguell,[3] et nunc post obitum ipsius quondam abbatis in manibus nobilis et potentis domini Gilberti comitis de Cassillis, estimata et particulariter calculata ad valorem iij c. xxxviij lib. viij s.

Item, deliberata dicto quondam abbati per dictum quondam reverendissimum in deposito in pecunia numerata ij m. jiij c. x lib. Quodquidem depositum idem quondam abbas in firma custodia in manibus venerabilis et egregii viri magistri Johannis Colquhone rectoris de Stobo ecclesie metropolitane Glasguensis canonici consignavit prout ante obitum suum premissa publice confessus est, et restam ipsius ipsius depositi minime depositam

[1] The Will of Gavin Dunbar, Archbishop of Glasgow (MS. in possession of Sir William Dunbar of Mochrum).

[2] Gavin Dunbar, son of Sir John Dunbar of Mochrum, Bishop of Glasgow 1524-47, formerly Prior of Whithorn; Lord of the Regency and Commendator of Inchaffray in 1536. He was buried in the chancel of his cathedral, where his remains were found in 1855 in a stone sarcophagus. There were some rich vestments found with the skeleton, which testify to the excellence of his lordship's wardrobe (v. *Reg. Epis. Glas.*, B. 25, No. 99, *et passim*). George Buchanan has written some eulogistic lines on this Archbishop (v. Gordon's *Scotichronicon*, ii. 521).

[3] This document is not the original Will of the Archbishop (which has probably perished), but is the record from the Commissary Court Books. The recording officer has therefore in the narrative spoken of the "late" Abbot as having been the depositary of the Archbishop's *utensilia et domicilia*, to the value of £338 : 8s., and money to the value of £2410. Abbot William probably died in the winter of 1547-8, as he was present in Parliament on 18th March 1546-7; and on 2d February 1547-8 we have Abbot Quintin's discharge to the Earl of Cassillis for the furniture, plate, etc., belonging to William *late* Abbot of Crosraguel (No. 63 *supra*). The Archbishop died in April 1547 (*Reg. Epis. Glasguensis*), and William must therefore have lived long enough after that to have taken possession of the plate, etc., and money, and to have transferred it to the Earl of Cassillis and the Rector of Stobo. Why the Archbishop chose his friend the Abbot of Crosraguel as the depositary of his property does not appear. He probably thought that it would be safer in the quiet retreat of Crosraguel, and under the powerful protection of the Earl of Cassillis, than amid the turbulence of the city of Glasgow.

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executoribus ipsius reverendissimi per ipsum rectorem reddi et deliberari ordinavit.

Summa Inventarii et depositi ij m. xlviij lib. viij s.[1]

Debita dicto quondam reverendissimo debentia :—

Imprimis, restans in manibus tenendorum baronie Glasguensis de croppa anni etc., xlvj. citra ijc. marcas receptas per Gubernatorem pro brasio, gressuma et multura dicte baronie, iiij c. lxvj lib. xiij s. iiij d.

Item, restans in manibus tenandorum baroniarum de Stobo, Eddilstone, Askirk, et domini de Corstorphyn pro certis terminis terrarum de undry foster, reverendi in Christo patris Johannis episcopi Dunkeldensis, Patricii Murray de Hangynschaw, et Cuthberti Johnsoun de Lokerbe respective firmariorum ecclesiarum de Cambusnethane, sancte Brigide in Foresta, et ecclesie de Drivisdale: Ac etiam in manibus magistrorum et dominorum Archibaldi Menzies, Roberti Richartson, Nicholai Rutherfurd, Johannis Layng, Johannis Cambell, et Lamberti Blair respective, et decanorum Nithisdalie et Annandie, Tevidalie, Kyle, Carrik, Cunynghame, pro restis procuracionum synodalium et minorum testamentorum certorum annorum preteritorum magistri Johannis Chesholme et Johannis Jardane de Apilgirth pro certis bollis ordei custumalis baroniarum de Eddilstoun et Stobo spoliatis per eundem a tenentibus dictarum baroniarum ac certorum aliorum creditorum, extendentia per justam estimationem ad summam v c. lib.

Item, dominus Jacobus Cottis rector de Carstaris de resta sui ultimi compoti j c. lib. Et remittimus eidem rectori reliquum reste sui compoti dummodo gratanter persolvat dictam summam prenominatam executoribus nostris.

Summa Inventarii et depositi ac debitorum dicto quondam reverendissimo debentium, iij m. viij c. xv lib. xvj d.

Debita aliis debentia :—

In primis, Archibaldo Williamsoun pro firma hospicii sui in Edinburgh xxiij lib.

Item, domino de Craigbernard pro firma hospicii sui in Strivelyng, x lib.

Item, dominis Collegii Justicie supreme domine nostre regine, j c. xxx lib.

Item, Johanni Menzies pro recompensatione summe centum librarum per dictum quondam reverendissimum ab eodem recepti pro assedatione terrarum de Bischop forest, lx lib.

[1] Should be ij m. jiij^{c}xlviij lib. viij s.

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Item, Anis (?) pro fusione et factura duarum campanarum, deportatione et erectione earundem, ac pro bibalibus suis, ut patet per contractum inter dictum quondam reverendissimum et eum initum, j c. lxxxxvj lib. xiij s.

Item, pro reparacione campanilis, j c. vj lib. xiij s. iiij d.

Item, capitulo Glasguensi et vicariis chori eiusdem pro annuali fundacione dicti reverendissimi juxta consilium et dispositionem venerabilis et egregii viri Magistri Jacobi Houstoun subdecani Glasguensis, in quo plurimum confidimus, erigenda; quamquidem fundacionem prefati capitulus et vicarii chori Glasguensis, ipso reverendissimo vivente, super se acceptarunt et perimplere annuatim et perficere obligarunt, pro quaquidem fundacione sic annuatim perimplenda, summam ij c. lxvj lib. xiij s. iiij d.; idem reverendissimus prefato capitulo et vicariis chori promisit, et eandem summam eisdem, ipso superstite, consignavit, ij c. lxvi lib. xiij s. iiij d.

Et similiter consignavit lxvj lib. xiij s. iiij d. in manibus dictorum decani et capituli pro sepulcro cneo conficiendo et superponendo sepulchro eiusdem.[1]

Item, preposito Glasguensi pro suo feodo certorum terminorum elapsorum, xxij lib.

Item, domino de Ferme pro suo feodo, xx lib.

Item, domino de Gelstoun, xl lib.

Quamquidem summam idem reverendissimus recepit tempore quo cancellarie officio fungebatur, et consignata fuit in manibus eiusdem per dominos consilii ex redemptione terrarum in Glenkenn pertinentium patri dicti domini de Gelstoun.

Item, servitoribus dicti quondam reverendissimi pro eorem feodis ut patet per particulas particulariter calculatas et examinatas, vj c. lxxxv lib. xvj d.

Item, quoad summam xvj mercarum assertatam per Jacobum Watt et Johannem Mason, latomos, per nos eisdem debitam pro completione pontis de Inchbelly, quamvis clare constat et patet intuentibus compotum quondam domini Johannis Moresoun camerarii nostri pro tempore, nos totalem summam eiis per eum nomine nostro promissam et in contracto inter nos et eos inito, in compoto eiusdem domini Johannis sibi allocasse, quia in eodem compoto suo fatetur se hujusmodi totalem summam pecunie eiis nomine nostro per eum promissam persolvisse: Volumus tamen quod dicti executores nostri prefatam summam xvj mercarum eiis iterum persolvant, aut sece desuper amicabiliter componatur, dummodo dicti latomi prefatum

[1] Not a vestige of this tomb is now remaining.

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pontem in singulis partibus ubi opus fuerit; et signanter in lateribus altiorem et substantiorem faciant et reforment, prout dictis executoribus et superioribus Testamenti nostri expedire videbitur.

Summa debitorum aliis debentium, jm. vjc. lxxxviij lib. viij s.

Legacia prefati reverendissimi personis infrascriptis, et inprimis domino Gubernatori.

Item, illustri domino Gubernatori nos humillime et ex intimis commendamus; cui legamus ornamenta nostre capelle argentea et dupliciter deaurata subscripta, videlicet, crucem, duo candelabra, duas phiolas, vas aque benedicte, cum aspersorio, et campana cum eorum capsulis; et hoc in nostri memoriam; sperantes indubie quod idem dominus Gubernator assistat et adjuvet dictos nostros executores, et non sinat eosdem a quocumque perturbari, molestari aut vexari quatenus hanc nostram ultimam voluntatem debite in singulis perficere et perimplere valeant.

Item, nobili et potenti domino Johanni domino de Erskyn in amoris et veteris amicitie signum, nostrum optimum annulum, lye Turcas, et unum denarium aureum antiquum sanctissimi domini nostri pape insigniis insculptum.

Item, magistro Jacobo Foulis, in nostri memoriam et amoris signum unum denarium aureum insculptum sancto spiritu.

Item, comitisse de Cassillis, j c. marcas.

Reverendo in Christo patri Willelmo episcopo Lismorensi, amplam togam nostram lie chymaris of wariant chamlett cum caputio eiusdem et duobus rochetis.

Item, venerabili in Christo patri Willelmo abbati de Corsraguell togam nostram nigri panni foderatam cum lye mertrikkis; cui legamus our double ourgylt coupe and our double ourgilt goblett, quhilkis hes na armes on thame, and our best safir ryng.

Item, magistro Alexandro Dunbar decano Moraviensi, racione officii executorie, nostram togam bissinam de satyn foderatam cum mertrikkis; cui etiam legamus our sax silver pecis and the covir with the cays, thre silver trunscheouris and the secund silver salt fatt: et item, dispositionem

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librorum nostrorum juxta discretionem et consilium executorum et superiorum nostrorum fiendam.

Decano Glasguensi uni superiorum testamenti nostri:

Item, decano Glasguensi optimam togam nostram nigri coloris, our best black chymmeris with the hude, cum uno annulo et tway of our silver trunscheouris.

Subdecano Glasguensi, alteri superiorum ultime nostre voluntatis:—

Item, magistro Jacobo Houstone, subdecano Glasguensi, thre of our silver trunscheouris; et hoc quia novimus quod plurimam curam et ingentes labores super se ad perficiendam et perimplendam erectionem fundacionis nostrarum exequiarum et obitus, distributionem pecuniarum pro terris emendis pro dicta nostra fundacione, et emptione honesti sepulchri enei ad superponendum tumulo nostro; ac reparacione et fusione campanilis et campanarum perferre et capere opportuerit; et ad emenda ornamenta pontificalia ecclesie nostre Glasguensis, pro quibus emendis consignavimus et deliberavimus certam pecunie summam magistro Georgio Lokert decano ecclesie nostre predicte; et etiam ad mutandum et transferendum huiusmodi pecuniam per nos ad prescripta opera consignata ad quamcunque perpetuacionem et pios usus prout sibi magistro Jacobo videbitur expediens, consummatis prius et perimpletis campanili fundacione campanis et pontificalibus et sepulchro nostro predictis, quia in prefato magistro Jacobo ad perimplenda et perficienda premissa, singularem confidentiam habemus.

Item, Johanni Dunbar de Mochroum ad complementum sue domus jc. marcas, unacum our silver basyn and the silver lawar, oure grete coupe and covir of silver, oure grete salt fatt, ane dusan of silver spownis and thre silver trunschcouris.

Item, Dunbar, sorori dicti Johannis Dunbar de Mochroum ad supplementum dotis eiusdem, ij c. marcas.

Item, Thome Kennedy de Bargany oure silver wattyr pott quhilk we use to gar mix our wyne with.

Item, duobus sororibus dicti Thome Kennedy nondum maritatis, iiij c. marcas per equales portiones inter easdem dividendas.

Item, sponse Hugonis Kennedie sorori dicti Thome de Bargany xxvj lib. xiij s. iiij d.

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Item, magistro Gilberto Kennedie vicario de Colmonell, xx lib. cum una nigra toga duplicata cum lye damas.

Item, magistro Thome Kennedy, xx lib.

Item, domino de Punfrastone intuitu diutim obsequii nobis prestiti ad supportandum suos proles, xl lib.

Item, prolibus Archibaldi Dunbar germani nostri, xxvj lib. xiij s. iiij d.

Item, Patricio Dunbar de Cralech, xl lib.

Item, Patricio Dunbar filio Johannis Dunbar de Knokschenoch et Willelmo Hamilton eius leviro, xx marcas per equales partes et portiones.

Item, domino Archibaldo Dunbar iij c. lib. proviso tamen quod non vocet executores nostros pro quacunque alia summa sibi allegata per nos debita. Quod si dictos executores nostros in jus vocet, volumus quod dicti executores nostri expensas suas ad defendendos se ab eodem de dictis iij c. libras faciant.

Item, sorori nostre, moniali in Northberuik, xx marcas.

Item, filie quondam magistri Johannis Dunbar senescalli nostri pro tempore, x marcas.

Item, rectori de Stobo, magistro Johanni Colequhoun, unam togam de scarlett duplicatam cum lye satyn.

Item, magistro Roberto Stewart clerico parochiali Glasguensi, xl lib.

Item domino Hugoni Curry commendatario prioratus de Strathphillane, unam togam de Chamlett foderatam cum nigris pellibus et alteram de Lillisworsett etiam foderatam, with our almus, ane furrit weluus hude cum duobus rochetis.

Item, Duncano Levingstone camerario nostro j c. marcas, proviso quod prius inducat restam baroni Glasguensis et aliarum baroniarum, aut saltem exactam diligentiam faciat pro hujusmodi restam importandam ac compotum et solutionem dictarum restarum et sue intromissionis dictis executoribus nostris faciat.

Item, magistro Cuthberto Arthure et Johanni Mure unicuique eorum xl marcas ad orandum pro anima nostra pro spacio duorum annorum, et domino Johanni Forrett pro suo feodo termini Penthecostes instantis et aliis quibuscunque terminis per nos sibi debitis et ad orandum pro anima nostra

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per spacium duorum annorum xl[ta] marcas, unacum our secund blak chymmeris, cum qua indutus ferat crucem nostram ante nos in die sepulture nostre.

Item, domino Johanni Dunbar rectori de Castelmilk ad orandum pro anima nostra per spacium unius anni, x marcas.

Item, domino Johanni Dunbar clerico parochiali de Mochroum ad orandum pro anima mea per spacium unius anni, x marcas.

Item, domino Thome Coutirrane in Quhitherne ad orandum pro anima mea per spacium unius anni, x marcas.

Legacia religiosis.

Item, patribus minoribus de Edinburgh . .	vj lib.	xiij s.	iiij d.
Item, patribus predicatoribus prefati loci de Edinburgh	vj lib.	xiij s.	iiij d.
Item, patribus minoribus de Perth . . .	vj lib.	xiij s.	iiij d.
Item, patribus predicatoribus ibidem . . .	vj lib.	xiij s.	iiij d.
Item, patribus minoribus de Strivelyng . .	vj lib.	xiij s.	iiij d.
Item, patribus predicatoribus ibidem . . .	vj lib.	xiij s.	iiij d.
Item, patribus minoribus civitatis nostre Glasguensis	x lib.		
Item, patribus predicatoribus eiusdem . . .	vj lib.	xiii s.	iiij d.
Item, patribus minoribus de Air	x lib.		
Item, patribus predicatoribus ibidem . . .	vj lib.	xiij s.	iiij d.
Item, Carmelitis de Irvyn	iij lib.	vj s.	viij d.
Item, patribus de Jedburgh	v lib.		
Item, patribus de Dumfries	v lib.		
Item, patribus de Lanark		xl s.	
Item, patribus de Lynlithquhou		xl s.	

Item pauperibus hospitalis divi Nicholaii xx marcas disponendas in lectisterniis, vestibus, et aliis rebus dictis pauperibus magis necessariis pro tempore juxta discretionem magistri Roberti Stewart et domini Hugonis Curry, prout ipsis melius videbitur expedire.

Item sororibus dive Katherine de Jervis prope Edinburgh, xl lib.

Item, duabus filiabus Andree Balfoure civis Sancti Andree nondum maritatis ad supportacionem dotis earundem xl[ta] marcas inter easdem per equales portiones dividendas.

Item, Isabelle Stewart sponse Jacobi Grahame, x marcas.

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Legacia librorum.

Item, magistro Johanni Gledstanis, Balduin et Paulam de Castro.

Item, magistro Johanni Dunbar, Bartholinum et Panormitanum.

Residuum vero librorum nostrorum tantum dispositioni decani Moraviensis juxta discretionem et consilium executorum et superiorum nostrorum fiendum legamus.

Residuum vero omnium bonorum nostrorum legamus executoribus nostris et eorum dispositioni prout ipsis melius expedire videbitur sine quacunque restrictione.

Item, volumus autem legamus et ordinamus quod nostri executores respondeant satis ac integre et mature sine deliberacione aut mora servitoribus familie nostre prenominatis de legacia eiis per nos legata de promptioribus pecuniis nostris, funeralibus et pecunia pro sepulchro eneo nostro et fundacione nostri obitus prius solutis et consignatis deductis. Et quoad legata aliis prenominatis personis et restam legacie nostre si non respondeant dictis nostris executoribus de resta fructuum Archiepiscopatus Glasguensis et monasterii nostri Insuli missarum predictorum referimus defalcationem et solucionem reste hujusmodi nostre legacie discretioni dictorum executorum nostrorum prout ipsi executores nostri restam hujusmodi Archiepiscopatus et monasterii recipere obtinere et recuperare poterunt.

Necnon et si contingat dictos nostros servitores aut quoscunque alios legatarios prenominatos plus exigere petere vel requirere quam ut expressatum est in presenti nostro Testamento aut eosdem executores coram quocunque judice pro aliis maioribus summis et actionibus coram quocunque judice convenire aut dictos nostros executores quovismodo molestare, in hiis casibus singula per nos eisdem legata revocemus ; committentes dictis nostris executoribus jus repetendi hujusmodi legata per eos recepta Et volumus quod legata sic obtenta et repetita disponantur ad alios pios usus pro salute anime nostre.

Summa Inventarii depositi et bonorum dicti olim reverendissimi patris debitis per eum aliis debentibus extractis ij m. j c. xxvj lib. xiij s. iiij d.

Confirmantur executores dativi dicto olim reverendissimo ad bona suprascripta ac etiam extra presens Inventarium omissa seu relicta quecunque magister Robertus Stewart clericus parochialis de Glasgo et Duncanus Levyngston conjunctim, etc., die penultimo Maii anno domini j^{m} v^{c} xlviii.

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ABSTRACT.

Testament and inventory of the goods, money, and debts of the most reverend Gavin Archbishop of Glasgow and commendator of Inchaffray.

The inventory, amounting to the value of £3815 : 1 : 4, includes, among other items, the sum of £338 : 8s., as the value of the testator's utensils and domicils, sometime in the hands of the late William Abbot of Crosraguel, and since his decease, in the hands of Gilbert Earl of Cassills; and a sum of £2410 delivered by the testator to the said Abbot of Crosraguel, and by him consigned in safe keeping in the hands of Mr. John Colquhoun, rector of Stobo.

Among the legacies bequeathed to the friends and servants of the testator, there are entered as destined to William Abbot of Crosraguel the archbishop's gown of black cloth lined with "mertriks," and his double overgilt cup, and double overgilt goblet without arms, and his best sapphire ring.

The testament is confirmed on 30th May 1548.

66. *Letter of Escheat to Quintin Abbot of Crosraguel of the property of James Kennedy and George Lockhart, denounced Rebels for the Mutilation of Mr. John Girvan.*—[*29th March* 1550.][1]

Ane lettre maid to Quintyne Abbot of Corsragwell, his airis and assignais of the eschete of all gudis movable and unmovable dettis takkis stedingis money gold silver cunzeit and uncunzeit actionis obligationis and utheris quhatsumevir quhilkis pertenit to James Kennedy and George Lokart bruthir to the Lard of Bar, and now pertening to our Soverane Lady and being in hir handis be ressoun of eschete throw being of the said James and George denuncit rebellis and put to the horne be virtew of hir lettres in defalt of finding of souirte to underly the law for art and part of the mutilatioun and demembring of Maister Johne Girvane of his lug and utheris crymes contenit in the saides lettres as the samyn and executioun thairof proportis, with power, etc. At Edinburgh the xxix day of Marche the year of God J^{m} v^{c} and fyfty yeiris. Per Signaturam.

[1] *Regist. Secreti Sigilli*, vol. xxiii. fol. 92.

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67. *Letter of Assedation by Quintin Abbot of Crosraguel, to Gilbert, Earl of Cassillis.*—[10*th March* 1552.][1]

Be it kend till all men be thir present lettres Us Quintyne be the permissioun of God Abbot of the Abbay of Crosraguell and convent thairof cheptourlie gadderit all with ane avis consent and assent the utilitie and proffet of us and oure said Abbay alwayis providit and considerit and mature deliberatioun had thairupone to haif set and for maill lattin and be the tennour heirof settis and for maill lattis to our derrest and best belovit cousing Gilbert Erle of Cassillis his airis and assignais ane or ma all and sindrie the teindis frutis proffittis oblationes and emolimentis of the personage of oure Kirk of Stratoune with thair pertinentis quhatsumevir pertening thairto liand within the diocy of Glasgw ffor all the dais and termes of nyntene yeris thair entrie thairto begynnand at the feist of Beltane[2] nixt tocum aftir the day of the dait heirof and thaireftir to indure and to be peceablie brukit and josit be thame ay and quhill the saidis nyntene yeris be fullelie and compleitlie outrunin with all and sindrie uthiris commoditeis fredomes asiamentis and richtius pertinentis quhatsumevir pertening or that richtuuslie may pertene thairto during the said space ffrelie quietlie weill and in peax but ony revocatioun obstakle impediment or agane calling quhatsumevir. Oure said cousing his airis and assignais forsaidis or thair factouris payand thairfoir yeirlie during the saidis nyntene yeris to us oure successouris and factouris the soum of foure scoir pundis usuale money of Scotland at twa termes in the yeir mertymes in winter and witsonday be evin portiones allanerlie.[3] And we forsuith and oure successouris sall warrand acquiet and defend in maner forsaid this present lettir of tak and assedatioun of all and sindrie the teindis frutis proffettis oblationes and emolimentis of the said personage of the Kirk forsaid and pertinentis thairof quhatsumevir to oure said cousing his airis and assignais forsaidis in all and be all thingis as is abone expremit aganis all deidlie as law will but fraude or gyle. In witness of the quhilk thing

[1] *Culzean Muniments*, No. 550.

[2] On May 1st. For the pagan and Sabæan origin of this feast, and the manner in which it was celebrated until recent times by the Scotch herdsmen (in honour originally of *Bel* the sun-god), see Pennant's *Tour in Scotland*, p. 96; *Stat. Acc. Scotland*, xi. 620; Vallancey's *History of Ireland*, p. 519; *Kalendars of the Middle Ages*, pp. 250-5).

[3] Exactly double of the rent paid by James Kennedy of Blairquhan in 1534 (v. No. 56 *supra*).

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to thir oure lettres of the assedatioun subscrivit with our handis the commone seill of the cheptour of oure said Abbay is hungin at the samin the tent day of Marche the yeir of God ane thousand five hundreth fyfty twa yeris. (Signed) Quityn Abbot of Crosragwell, Deyne Johne Mwre suppo^{r} w^{t} my hand, Deyne Robert M'Kewyn wy^{t} my hand, Den Johne Hogge w^{t} my hand, Deyn Michaell Dewar wy^{t} my hand, Den Johne Mwre wy^{t} my hand, Dene Newyn M'Kewyn w^{t} my hand, Deyn Gylbert M'Burne w^{t} my hand, Den Adam Maxwal w^{t} my hand.

ABSTRACT.

Letter of Assedation by Quintin Abbot of Crosraguel and convent thereof, to Gilbert Earl of Cassillis, of the teinds, fruits, profits, oblations, and emoluments of the parsonage of the church of Straiton, lying in the diocese of Glasgow, and that for the space of nineteen years, from and after the feast of Beltan then next, and for payment yearly of the sum of £80 money of Scotland, at the feasts of Pentecost and St. Martin, by equal portions. 10th March 1552.

67A. *Acquisition of the Lands of Glenluce Abbey by Gilbert Earl of Cassillis.*—[1560 ?][1]

This last Gilbertt was ane particuler manne, and ane werry greidy manne, and carritt nocht how he gatt land, sa that he culd cum be the

[1] *Historie of the Kennedyis*, p. 9.

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samin; and for that caus he enterit in bloking with ane Abbot[1] of Glenluse concerning the abacie, to tak the samin in few; bott or he gatt the samin performitt, the Abott deitt. And than he deltt with ane Monk off the samin Abbacie, quha culd counterfitt the Abottis hand-writt, and all the haill conventtis; and gartt him counterfitt thair subscriptiones. And quhane he had gottine the samyn done, feiring that the Monk wald reweill it, he caussit ane cairll quhilk thay callit Carnachaine, to stik (him); and thane for feir that cairll had reweillit, he garit his fader broder Hew of Bargany (Barquhoumy), accuise this cairll for thift, and hang him in Corsragall.[2] And sa the landis of Glenluse wes conqueist.[3]

68. *Letter of Assedation by Quintin Abbot of Crosraguel to David Kennedy of Pennyglen.*—[28*th March* 1560.][4]

Be it kend till all men be thir present lettres us Quintyne be the permissioun of God commendatour of Corsragwell and convent of the samyn with ane consent and assent the utilite and profit of us and our abbay of Corsragwell be us cheptourlie gadderit thairto be diligent avisiament and ryp deliberatioun foirseyn and considerat to haif set and for maill lattin and be the tenour heirof settis and for maill lattis to our weilbelovit David Kennedy of Penneglen and the airis maill lauchfullie to be gottin of his body quhilkis failzeing to Johne Kennedy his sone naturale successive and to his airis male quhilkis failzeing to the said Davidis airis male quhatsumevir nerrest all and haill oure thre merkland of Baltarsan and merkland of Knokronald of auld extent with thair pertinentis except the medow that lyis nerast our medow of our manis of Corsragwell callit the Braid medow quhilk we reserve to our self and our successouris lyand in the baillierie of Carrik within the sherefdome of Ayr to be broukit and josit be him and his foir-

[1] Walter Abbot of Glenluce, who had appointed the third Earl heritable bailie of the regality of the Abbey (*Culzean Muniments*). Walter died in 1560, and was succeeded by Thomas Hay.

[2] By the charter of 1404 (*ante*) the Abbots of Crosraguel had a right of regality over their lands *cum quatuor punctis coronæ*, robbery being one of these "points of the crown."

[3] This story is a tissue of exaggerations, and is not to be relied upon. The Glenluce papers from the Culzean charter-chest, now in the press, show that the lands of Glenluce were acquired by the Earl of Cassillis in the most just and lawful manner.

[4] *Culzean Muniments*, No. 581.

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saidis his and thair subtennentis cottrallis[1] servandis and assignayes quhatsumevir for all the dayes and termes of nynetene yeiris nixt and immediatlie following the feist and terme of witsoneday nixtocum. The quhilk feist of witsoneday is and salbe his entre in and to the tak and assedatioun of the saidis landis with thair pertinentis to be haldin and to be had ay and quhill the compleit outrynyng and ische of the saidis nynetene yeiris be all thair rycht merchis and divisis lyk as the saidis landis with thair pertinentis lyis in lenth and breid in houssis biggynis boundis feildis pasturis leasuris and commune pasture free ische and entre and with all and sindrie oderis fredomes commodeteis profettis asiamentis and rychtuuss pertinentis quhatsumevir alsweill nocht namit as namit fer and neir to the saidis landis with thair pertinentis pertening or rychtuuslie may pertene ony maner of way ffrelie quietlie weill and in peax but ony revocatioun obstacle impediment or agane calling quhatsumevir. The said David and his foirsaidis payand thairfoir yeirlie to us our successouris and factouris for the tyme the sowme of fowre libs. usuale money of this realme at twa usuale termes in the yeir witsoneday and mertymes in winter be equale portionys togiddir with multir and teind as effeiris and we forsuth the said Quintyne commendatoure of Corsragwell our convent and successouris the tak and assedatioun of all and haill the foirsaid thre merkland of Baltarsan and merkland of Knokronald of auld extent with thair pertinentis to the said David Kennedy and his airis male to be lauchfullie gottin of his body quhilkis failzeand to the said Johne Kennedy his sone naturale successive and his airis male quhilkis failzeand to the said Davidis nerast airis male quhatsumevir during all the tyme and space of the saidis nynetene yeiris aganis all deydlie sall warrand acquiet and defend lelelie and treulie but fraud or gyle. In witnes of the quhilk thing to thir our present letteris of tak and assedatioun subscrivit be us and our convent foirsaid the cheptour and commune seale of our said abbay is hungin at Corsragwell the twenty aucht day of the moneth of Marche in the yeir of God ane thousand fyve hundreth and threscoyr yeiris. (Signed) Quītyne cōmēdator[2] of Crosragwell, Deyn Johne Mwre suppriour w^t my hand, Deyn Robert M'Keyvn w^t my hand, Deyn Johnn Hoyge w^t my

[1] An unusual word in Ayrshire leases; apparently the same as *Cottars*, who paid for their cottage and bit of land in services and a little money. They had no work cattle. The tacksman (or *sub-tennent* in this case) under whom the cottar sat, ploughed and harrowed his ground, and carted his dung to the field, and for the most part carried home his peats (Mr. Campbell's *Report on the Drummond Estates*, quoted by C. Innes, *Legal Antiquities*, p. 267).

[2] Quintin has hitherto signed himself "*Abbot* of Crosragwell."

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hand, Deyn Michaell Dewar w^{t} my hand, Deyn Johne Mwre zonge^{r} w^{t} my hand, Deyn Newen M'Kewyne w^{t} my hand, Dein Gylbert M'Burne w^{t} my hand, Dein Adam Maxwell w^{t} my hand, Dene Gilbert Kennedy w^{t} my hand, Dene Johnne Bryce w^{t} my hand.

ABSTRACT.

Letter of Assedation by Quintin Abbot of Crosraguel to David Kennedy of Pennyglen, of the three merk land of Baltersan and merk land of Knockranald lying in the bailiary of Carrick, excepting the meadow called the Broadmeadow, lying immediately adjacent to the meadow of Crosraguel, which the abbot reserves to himself and his successors, and that for the space of 19 years from the feast of Whitsunday then next, etc. Dated 28th March 1560.

69. *Letter of Assedation by Quintin Abbot of Crosraguel to John Kirkpatrick of the land of Clonlicht.*—[30*th March* 1560.][1]

Be it kend till all men be thir presentis us Quintene be the permissioun of God commendatoure of Croceraguell and convent of the same with ane consent and assent thairto chapturlie gaderit to have sett and for male lattin and be the tenour of thir presentes settis and for male lattis to oure welbelovittis Johnne Kirkpatrik burges of Air and Jonet Wallace his spous thair aris subtenentis servandis and cotteris thaj being yemen men All and hale oure fourtie schilling land of auld extent with the pertinentis callit Clonluycht[2] lyand within the baronie of Crocerawguell erledome of Carrik and scherefdome of Air ffor all the dayis and termes of nyntene yeris nixt and immediatelie following the feist and terme of Witsoundaye nixtocum in the yeir of God ane thowsand fyve hundreth thre scoir yeris quhilk terme salbe the entre of the sadis Johnne and Jonet his spous and thair foirsadis in and to this tack and assedatioun and fra thinfurth till indure for all the dayis and termes of the sadeis nyntene yeris. The sadis Johnne Kirkpatrik and Jonet Wallace his spous and thair foirsadis payand heirfor yeirlie to us and oure successouris during the said space thre pundis off male guid and usuall moneye of Scotland at twa usuale termes in the

[1] *Culzean Muniments*, No 582.

[2] Probably the same as Glenluy or Glenlowie, near the Abbey, on the west side.

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yeir Witsoundaye and Mertimes in winter be equale portiounis togidder with kayne fowlis averageis and carrageis dewties and dew service usit and wont Reservand alwayis to us and oure successouris all coillis and coleheuchis[1] wyn and to be wyn in onye pairt or place of all the foirsaid fourtie schilling land how oft we or thaj pleiss beand abbot and convent for the tyme To be haldin and to be had all and hale the said fourtie schilling land called Clonluycht of auld extent with thair pertinentis to the sadis Johnne and Jonet his spous and foirsadis for all the dayis and termes of the sadis nyntene yeris be all rycht merchis and devisis as the same lyis in lenth and breid with mossis muris planis houssis beginnis yardis corne land unland moss medowis hedder peit and turf with commoun pasture fre ische and entre and with all and sindrye utheris fredomes comoditeis asiamentis and rychtuus pertinentis quhatsumevir alsweill nochnamit as namit fer and neir to the sadis landis pertening or rychtuuslie may pertene be onye maner of waye wele and in peace but onye revocatioun or impediment quhatsumevir And we forsuith the said Quintene commendatoure of Croceraugnell and convent of the same this our present tack and assedatioun of all and haill our said fourtie schilling land of Clonluycht of auld extent with their pertinentis to the sadis Johnne Kirkpatrik and Jonet Wallace his spous thair aris subtennentis and cotterris foirsadis during the said space of nynttene yeris in all and be all thingis lik as is abounexpremit sall werrand acquiet and aganis all deidlie defend lelilie and trewlie but fraude or gyle In witnes of the quhilk thing to thir our present lettres of tack and assedatioun subscrivit with our handis our commoun seill is houngin at Croceraugnell the penult day of Merche in the yeir of God ane thousand fyve hundreth threscoir yeris Signed Qtyne cōdato^{r} of Crosragwell, Deyn Johne Mwre supprio^{r} w^{t} my hand, Deyn Robert M'Kewyn wy^{t} my hand, Deyn Johnne Hoyge w^{t} my hand, Deyn Michael Dewar w^{t} my hand, Deyn Johne Mvre yonger w^{t} my hand, Deyne Newen M'Kewyn w^{t} my hand, Den Gylbert M'Burne w^{t} my hand, Dene Adam Maxwell w^{t} my hand, Dene Gilbert Kennedy w^{t} my hand, Dene Johnne Bryce w^{t} my hand.

[1] Evidently an important feature in the property of the Abbey. The year 1291 is said to be the epoch of the first charter in Scotland giving the right to dig for coal, though it was not the common fuel of the country till about 1500. The earliest disputes about coal levels were between the monks of Newbattle and Dunfermline (Arnot's *Edinburgh*, p. 84; Innes' *Antiquities*, p. 165; *Chart. Newbotle*, No. 73; *Chart. Cambuskenneth*, p. 30). Mr. Cochran-Patrick (*Records of Mining in Scotland*, p. 1) quotes an even earlier charter in 1210 by the Earl of Winton of the coalheughs between Pinkie and Inveresk.

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ABSTRACT.

Letter of assedation by Quintin Abbot of Crosraguel to John Kirkpatrick burgess of Ayr and Janet Wallace his wife of the forty shilling land of Clonlicht, lying in the barony of Crosraguel, for the space of nineteen years from the feast of Whitsunday then next, giving therefor yearly to the abbot and his successors the sum of £3 of mail at the feasts of Whitsunday and Martinmas, by equal portions. Dated 30th March 1560.

70. *Letter of Assedation by Quintin Abbot of Crosraguel to the Earl of Cassillis of the Teinds, etc., of the Church of Straiton.*—[*9th July* 1560.][1]

Be it kend till all men be thir present Lettres us Quintyn be the permissioun of God commendatour of the Abbay of Corsragwell and convent of the samyn cheptourlie gatherit all with ane avyse consent and assent the utilite of us and oure Abbay alwayes previdit and considerat and mature deliberatioun had thairupon to haif set and for maill lattin and be the tenour heirof settis and for male lattis to oure derrest and best belovit cousing Gylbert Erle of Cassillis his airis male and assignayis ane or ma, All and sindrie the teindis fructis profettis oblatiounis and emolumentis of the personage of oure kirk of Stratoun within Carrik with thair pertinentis quhatsumevir pertening thairto ffor all the dayes and termes of nynetene yeiris thair entre thairto begynnand at the feist of Lambmes callit Petri ad vincula immediatlie precedand the day and date heirof and thaireftir to indure and to be peceablie broukit and josit be thame ay and quhill the saidis nynetene yeiris be fullelie and compleitlie outrunin with all and sindrie otheris commoditeis fredomes asiamentis and rychtuouss pertinentis quhatsumevir pertening or rychtuouslie may pertene thairto during the said space frelie quietlie weill and in peax but ony revocatioun obstakle or impediment quhatsumevir Oure said cousing his airis and assignayis foirsaidis or their factouris payand thairfoir yeirlie during the saidis nynetene yeiris to us oure successouris and factouris the sowme of fourescoyr pundis usuale money of Scotland, at twa usuale termes in the yeir martymis in wintir and witsonday be equale portiounis allanirlie And we forsuth the foirsaid Quintyn commendatour of Corsragwell and convent of the samyn for us and oure successouris sall warrant acquiet and defend in maner

[1] *Culzean Muniments*, No. 586.

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foirsaid this present Lettir of Tak and Assedatioun of all and sindrie the teindis fructis profettis oblatiounis and emolumentis of the said personage of the kirk of Stratoun and pertinentis thairof quhatsumevir to oure said cousing his airis and assignayis foirsaidis in all and be all things as is abone expremit aganis all deidlie as law will all fraude and gyle beand and secludit In witnes of the quhilk thing to thir oure lettres of tak and assedatioun subscrivit with oure handis the common seill of oure said Abbay is affixt at Corsragwell the nynt day of Julij in the yeir of God ane thousand fyve hundreth and thre scoir yeiris (Signed) Quītyn comdator of Crosragwell, Deyn John Mure supprior wt my hand, Deyn Robert M'Kewyn wyt my hand, Dene Michaell Dewar wt my hand, Deyn Johne Mwre yonger wt my hand, Deyn Newyne M'Kewyn wt my hand, Dein Gylbert Makburne wt my hand, Dene Adam Maxwell wt my hand, Dene Gilbert Kēnedy wt my hand, Deine Johne Bryce wt my hand.[1]

ABSTRACT.

Letter of Assedation by Quintin Abbot of Crosraguel to Gilbert Earl of Cassillis, of the teinds, fruits, profits, oblations, and emoluments of the parsonage of the church of Straiton in Carrick, for the space of 19 years from the feast of Lammas then last, for the yearly payment of £80 Scots. Dated 9th July 1560.

71. *Quintin Abbot of Crosraguel condemned by the General Assembly of the Kirk.*—[*27th December* 1560.][2]

December 27*th*, 1560.

It is also thocht expedient that earnest supplication be made to the estates of this realme in parliament, and to the lords of secreit counsell, that all judges ordinaire and officers judicial, sick as the Lordis of the Sessioun, shireffis, stewarts, baillies, and uther judges ordinaire, be professours of the trueth of the true word of God, and all ministers thereof to be removit fra sick office according to the civill law. [Item To desire the Estates in

[1] The number of monks in this and the preceding charter tallies with that alluded to in the fragment from the Cluny charters, namely 10 (v. No. 23 *supra*).

[2] *Booke of the Universall Kirk of Scotland*, part i. page 5. This was the first Assembly of the Reformed Church.

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Parliament to take order with the confirmatioun of testaments, that pupils and orphans be not defrauded and that be made thereupon in their favours.] C.

To aske the estates of parliament and lords of secreit counsell, for eschewing of the wrath and judgement of the eternall God and removeing of the plagues threatned in his law, that sharp punishment may be made upon the persons underwriten, and uthers idolators and maintainers thereof, in contempt of God his true religioun and acts of Parliament, whilk sayes and causes messe to be said and are present thereat within the places following:

In Nithesdaile and Galloway.

The Pryor of Whitherne[1] and his servants in Crugletone.
The Laird of Corswell,[2] in Corswell.
The Lord Cairleill.
The Laird of Kirmichaell,[3] who causes masse daylie to be said, and images holden up, and idolatorie to be maintained within his bounds.

In Kyle, Carrick, and Cuningham.

The Erles of Eglintone and Cassilis.[4]
William Hamilton of Cambuskenneth.
The Abbot of Crosraguell.
The parochiners of Mayboill, Girvan, Oswald, and Dalay, within the kirk whereof messe is openly said and maintained.

72. *The Valuation of the Abbacy of Crosraguel.*—[1561.][5]

Abbacy of Corseragwell.

In meall and beir		55 ch. 8 b.
Oatts		80 b.
Money	383 £	. .

[1] Malcolm, who in 1546 applied for a remittance of his quota of a general tax on account of the evil times (*Reg. Privy Council*), and who was still prior in 1563 (Paterson's *Galloway*).

[2] Finlay Campbell of Corswall, the last of his race, who had held it since 1333.

[3] John Kennedy of Kirkmichael, whose family had held the property since 1420.

[4] Gilbert, fourth Earl of Cassillis, succeeded his father in 1558, and was a zealous partisan of Queen Mary and the Catholic faith. He was with her at Langsyde, for which he was forfeited, but afterwards reponed, by Parliament.

[5] *Assumption of the Benefices*, p. 13.

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Item the steeding of Drummorquhy,[1] occupyed
by the Abbot . . . . £26 13s. 4d.

There are five kirks belonging to it, viz., Kirkoswall, Girvan, Daly, Straitoune, and Kirkcudbright alias Pinnertig.

The rent paid to the king out of the superplus of the thirds of Benefices[2]—

Corseraguell 100 0 0

72A. *Quintin Abbot of Crosraguel denounced Rebel for Non-payment of the Third of his Benefice.*—[1561.][3]

And ane hundereth ℔ xj ℥ j ₰. ⅓ pairt ₰, for the thrid of the money of the abbay of Corsregale, restand in the handis of Quintene, abbot thairof, for non-payment of the quhilk he is ordourelie denunced rebell and put to the horne . . . j^c ℔. xj ℥. j ₰. ⅓ ₰.

73. *The Partial Destruction of Crosraguel Abbey.*—[1561.][4]

[In 1561] the Papistis, a little befoir the Parliament, resorted in diverse bandis to the towne of Edinburght, and began to brag, as that thai wald half defaced the Protestantis. Quhilk thing perceaved, the brethren assembled together and yeid in such companyes, and that in peceible maner, that the Bischoppis and thair bandis forsuyk the calsay. The brethrene understanding quhat the Papistis meant, convenit in counsall in the Tolbuyth at Edinburght, the xxvij of May, the yeir of God jm v^c thre scoir and ane yeirs; and after consultatioun considerit that ane humble supplicatioun suld be presentit to the Lords of Secreit Counsall and unto the haill assemblie that then wes convenit, in the quhilk suld thir subsequent heidis be required, and a law to pass thairupon:—

[1] On the Bargany estate, the patrimony of the second son. Thomas Kennedy of Drummurchie took a leading part in the feuds of the time. The celebrated Field-Marshal Lord Stair was afterwards born here (Patterson).

[2] *Assumption of the Benefices*, p. 49.

[3] *Compt of the Collectour-Generall of the Thirdis of Benefices*, 1561, fol. 113 (MSS. in the General Register House, Edinburgh).

[4] *History of the Reformation*, by John Knox, Book iii.

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1. That Idolatrie, and all monumentis thairof suld be suppressit throughout the haill realme. . . .

Upon the quhilk requeist and Articles, the Lordis of Counsall foirsaid made ane act and ordinance answering to everie heid of the foirsaid articles, and commandit letteris to be answerit thairupon, quhilk diverse ministers raysit, as in the buykis of Secreit Counsall is yet to be found. And thus gat Satan the secund fall, after that he had begun to truble the estait of the religious ones established by law.

Meanwhill came Lord James Stuart as ambassador from Queen Mary at Rheims, praying that the religion publictlie established suld go forward, but the Lordis of Secreit Counsall gave him a negation to all his propositions.

With these answeris departit the said ambassadour. And the Lordis of Secreit Counsall made ane act that all places and monumentis of ydolatrie suld be destroyit. And for that purpose wes directed to the west the Erle of Arrane, having joined with him the Erlis of Argyle and Glencarne, togidder with the Protestantis of the west: quha burnt Paislay, the Bischope (of Sanctandrois quha was abbot therof) having narrowly eschapit; kest down Failfurd,[1] Kilwynning, and a part of Corsragwell—and thus God sa potentlie wrocht with us, sa long as we dependit upon him, that all the warld mycht se his potent hand to maintain us, and to fight against our enemies: yea, most to confound them, quhen that they promest to thameselfis victory without resistance. Oh that we suld rychtlie considder the wonderouse workis of the Lord oure God!

[1] Of Fail or Failfurd Abbey, near Tarbolton, only two walls remain. It was actually a Priory for Red Friars, founded by Andrew Bruce in 1252 and governed by a Minister (Brochie MSS., and v. Chalmers, vol. iii.; *Monasticon*, pp. 294-5). The Friars have left an imperishable memento of their merry character in the old saw:—

"The Friars of Fail drank berry-brown ale
The best that ever was tasted;
The Monks of Melrose made gude kail
On Fridays when they fasted."

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74. *The three days' disputation between Quintin Abbot of Crosraguel and John Knox, on Maybole Green.*—[28*th September* 1562.][1]

Quintinus Kennedius prælatus Catholicus.

Sectarii cum viderent Catholicos a diversis partibus diversos catholicæ religionis defensionem suscepisse viam tanto periculo occludendam primo quoque tempore statuunt.

[1] *De rebus gestis Scotorum*, Leslæus, p. 540. For the following account of this famous "Disputation" I am chiefly indebted to the account written by John Knox, and to Paterson's *Ayrshire*, vol. ii. p. 26.

The origin of the well-known discussion which took place at Maybole between the Abbot of Crosraguel and John Knox may be thus briefly stated. In 1559 the Abbot had challenged Willock, who happened to preach in the neighbourhood of Crosraguel, to a disputation concerning the mass. The gauntlet was duly taken up, and the place of meeting appointed, but the discussion was broken off in consequence of certain preliminary disagreements. The mass now became the chief study of Kennedy, and in 1561 he published a work in its defence. In the course of the following year he stated in his chapel of Kirkoswald—after reading a series of papers concerning the mass and other essential tenets connected with the doctrines of the Popish Church—his readiness to defend them against all by whom they might be impugned, but promised on the following Sabbath to declare himself more fully on the subject. Knox, being in the vicinity, came to Kirkoswald to hear the Abbot; and in the morning acquainted him of his intention to do so, requiring him at the same time either to make good his promise or allow him (Knox) to preach first, and afterwards state his objections to what might be advanced. The Abbot, aware of the excitement of the times, and the danger to be dreaded from a public display of this kind, did not appear, and Knox occupied the pulpit. On coming down, however, a letter was put into his hands dated 6th September, in which Kennedy expressed himself as most anxious to engage in a discussion with him.

The terms proposed by the Abbot were perfectly reasonable. He wished in the excited state of the public mind to avoid all risk of disturbance. Knox, on the contrary, confident of success, was anxious that the discussion should take place in open assembly, and that his triumph should be witnessed by thousands.

Kennedy replied to his somewhat intemperately expressed letter in a mild but forcible manner. In reference to Knox's statement that he came not for disputation but to preach Jesus Christ crucified, the Abbot observes, "Praise be to God, that was na newings in this countrie or ze war borne." Secondly, he remarks, "He is ane euill iudge that condemns or he knawes," and that it would have been time enough to have called the articles in question blasphemous when he had seen, read, and sufficiently confuted them. Thirdly, that he promised to make declaration of the said articles on Sunday last, provided there had been no convocation of strangers, wherethrough disturbance might ensue; but Knox came accompanied by five or six score of followers. "Quhair ze say," remarks the Abbot, "ze stand in the protection of the Almichtie, swa dois all gude Christiane men as ze, bot appearanlie ze put als lytil in God's handis as ze may, that gois accompanied in euerie place quhairsumeuer ze go with sic multitude, quhidder it be for devotion, or protection, or rather tumultuation, God knawes, for I knaw not. . . . Quhair ze say I haif infected the earis of the simple, I have wounded the hartes of the godlie, and I have spoken blasphemie in open audience, I meruell how ze forget zourself, chidand and railland in this maner. Considering ze said ane lytil afore ze did abhor all chiding and railling, bot nature passes nurtor with

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Unde Quintinum Kennedium Comitis Cassilii fratrem, virum non solum nobilitate, sed doctrina virtuteque perinsignem, cum nullo modo a fidei integritate abduci possit, in palestram solemque vocant. Sed trium dierum frequenti disputatione, quam cum Knoxio publicè in occidente habuit effectum est, ut pii sanctique viri confirmarentur, ac ipsi sectarii Knoxio infensi

zow. Quhairfore I man beir with zour babline and barking, as dois Princes, hear poweris, maiestrates, and mony hundredths better nor I."

The Abbot declined holding the discussion in St. John's Church in Ayr, because he wished to avoid tumult, and as for the "iust tryall of the treuth thair man be conference of mony buikes," he thought that could not be conveniently discussed in open audience. After some further correspondence between Knox, the Abbot, and the Earl of Cassillis, the disputation was at length agreed to upon nearly the same terms as at first proposed by Kennedy. The correspondence is interesting, as showing the movements of the parties. Knox was at Kirkoswald on Sabbath the 8th September, where he preached; upon which occasion he received the letter of the Abbot challenging him to a disputation. Knox, according to his own statement, lay at Maybole the night before with a company not surpassing twenty. On the same day he replies to the letter of the Abbot from Ayr. Between that and the 25th of September, when he writes to the Earl of Cassillis from Ochiltree, he appears to have been away in Dumfriesshire and Galloway. On the 27th of September the parties met at Maybole, when the following agreement was signed:—

"The day, houre, condicione, and nomber agreed vpoun, for the conference betuix Maister Quinteyne Kennedy, Abbot of Crosraguel, and John Knox, minister at Edinburgh.

"The day is the xxviii of September, 1562. The place the Prouestis place of Mayboill, the houre to conuene is at eight houres before none, the day foirsaid, the nomber for euerie part shall be fourtie persones, by there scribes and learned men, with so many mo as the house may goodly hold, be the sight of my Lord of Cassillis. And heirupon, bothe the said Abbote and John Knox are whollylie and fullylie agreed. In witness whereof they have subscriued these presents with their hands. At Mayboill, the xxviii of September, 1562. CROSRAGUEL.

"JOHN KNOX."

The conference took place accordingly in the "place" of Andrew Gray, the last provost of the Collegiate, in the back vennel of Maybole. A huge concourse of people from all quarters was drawn to the scene of debate, and Maybole was densely crowded. The only account of the discussion which has been preserved was drawn up by Knox himself and printed in 1563 in black letter; and the only copy known to exist is preserved in the Auchinleck Library. A facsimile edition was thrown off in 1812, and those who wish to pursue the subject can find a copy of the discussion in the Woodrow Society's publications. The conference, commencing each morning, was carried on for three days. The Abbot grounded his argument upon the Apostle St. Paul, who "affirms our Saluior to be an priest for ever according to the ordure of Melchisedec;" and the main point for dispute was whether Melchisedec actually brought forth the bread and wine *as a sacrifice*, or not. The conference was somewhat abruptly brought to a close, and Knox himself thus records the cause of its conclusion: "This conference being ended for the tyme, my Lorde presentlie did rise for trouble of body, and then John Knox did shortly resume the principall grounds. And because the noble men heir assembled were altogether destitute of all prouision bothe for horse and man, the said Johne humblie requireth the foirsaid Lord that it would please him to go to Air, whair that better easiment might be had for all estates, which because my Lord vtterlie refused, the said John desired that the said conference should be ended. My Lorde did promise upon license purchased of the Quene's maiestie and her honorable counsall, that he would compear in Edinburgh, and there in their presence finish the said conference. The said John did promes

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redderentur, quod provinciam quam susceperat Calvinismi defendendi melius non exornasset. Quare Knoxius ut quam contraxerat disputando ignorantiæ maculam scribendo dilueret, disputationem illam suis commentis, nugis, mendaciis interspersam typis excudendam curat. Nam veritatem disputando cum non poterat infringere, eam si cum vinijs obscuret, egregie docteque se calvinizare putat.

Kennedius hic, vir plane dignus cujus virtutes omnium ætatum commendatione celebrentur, duos, præter alia opuscula, edidit libros exquisitissima Doctorum Conciliorum Scripturarum doctrina refertos, unum de Conciliorum auctoritate [1] alterum de publico Ecclesiæ sacrificio.[2] E quibus illum Joannes Davidsonus hunc Georgius Hajus sectarii ministri ita refutarunt, ut catholica veritas inde magis diluscescat iis quorum mentes hæreseis malitiæque tenebris plane non fuerint obvolutæ.

75. *Letters of Citation for the Confirmation of the Commission of Bailiery of Crosraguel, granted to Gilbert Earl of Cassillis.*—[2*d October* 1562.][3]

Thomas permissione divina abbas perpetuus monasterii Vallis Lucis vulgo Glenluce ordinis Cisterciensis Candide [case] diocesis David Gibsoun et Johannes Houstoun ecclesie metropolitane Glasguensis canonici judices

to trauell with the said Secret Counsall, that the said license might be obtained; and desired the foirsaid Lord to do the lyke with the Quene's maiestie, whereupone the said John Knox took instruments and documents."

The following paper was put in, signed by the Abbot:—"At the conclusion of our ressoning, I gaif John Knox ane argument in writ, desiring him that he wald iustifie his opinion be expres testimonie of Scripture, or ony appearance thereof. Quhairto the said John required tyme to give answer, and the tyme micht nawise serue of farder ressoning, for sic causes as are comprehended in the said John Knox writing. And as toward his desyre of me to Air, treulie it was ye thing that I might not presentlie commodiously do. But alwayes I will compeir befoir ye Quenes grace, and sic as hir grace pleisis to take to be auditors to defend the said articles, and in special the article concerning the messe, as they ar vritten, quhen and quhair it be hir grace plesure, swa that the habilite of my body will serve onywise, as I hope to God it sall, to quhom be praise, glorie, and honour, for ever. CROSRAGUELL."

In the written reply to the Abbot's reasoning, which is given in the printed account of the discussion, Knox claims the palm, though he speaks at the same time of the "common bruit that Kennedy, his flatterers and collattoralles brag greatly of their victorie." At the breaking-up of the conference it is said, perhaps erroneously, that the books brought for reference by the Abbot, amounting to several wain loads, were seized by the mob, and consigned to the flames on the green of Maybole, in celebration of the assumed triumph of Knox.

[1] Printed in Mackenzie's *Lives of the Scotch Writers.*

[2] The original of this work is in the library at Auchinleck.

[3] *Culzean Muniments*, No. 615.

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delegati executoresque et commissarii infrascripti unacum venerabili patre Joanne abbate monasterii Dulcis Cordis vulgo New Abbay nuncupati nostro in hac parte collega auctoritate apostolica vigore certe commissionis a Reverendissimo in Christo patre et domino Johanne archiepiscopo Sanctiandree regni Scotie primate legato nato monasteriique de Pasleto abbate ac cum potestate legati a latere Sancte sedis Apostolice legato virtute sue facultatis et officii legacie apostolice predicte nobis directorum cum illa clausula videlicet Discretioni vestre committimus et mandamus quatinus vos vel duo vestrum conjunctim procedentes et cognoscentes vocatis vocandis etc. specialiter constituti vicario seu curato ecclesie parrochialis de Mayboil universisque aliis et singulis personis ecclesiasticis necnon rectoribus vicariis perpetuis curatis et non curatis capellanis clericis notariisque et tabellionibus publicis per diocesim Glasguensem seu etiam alubi ubilibet constitutis super executione presentium debite requisitis necnon illi vel illis ad quem vel ad quos presentes litere nostre ymmoverius apostolice pervenerint salutem in Domino Literas patentes prefati reverendissimi domini Johannis archiepiscopi sedisque apostolice legati pergameno scriptas sigilloque sui officii legacie predicte quo in similibus utitur cera rubea in capsula ferrea cum cordula bissena viridis coloris ut moris est consimilium literarum impendente sigillatas et subscriptas sanas siquidem et integras pergameno scriptas non rasas nec cancellatas nec in aliqua sui parte suspectas sed omni prorsus vicio et suspicione carentes ut in eiis prima facie apparebat nobis predictis judicibus commissariis cum illa clausula predicta directas nobisque ex parte nobilis et potentis domini Gilberti comitis de Cassillis principalis in hujusmodi litteris commissionis principaliter nominati presentatas et exhibitas pro approbatione ratificatione et perpetua confirmatione constitutionis creationis et admissionis prefati nobilis domini Gilberti comitis de Cassillis hereditarie in ballivum seu ballivatus officium hereditarium dominii et terrarum omnium monasterii Crucis Regalis vulgo Crosraguel nuncupati ordinis Cluniacensis Glasguensis diocesis per venerabilem in Cristo patrem et dominum Quintinum ejusdem monasterii commendatarium et conventum ejusdem loci unanimi consensu et assensu sibi domino comiti heredibusque suis masculis et assignatis quibuscunque factarum et concessarum unacum serviciis tenentium et occupatorum earundem terrarum predictarum dominii hujusmodi monasterii predicti ac cum assignatione concessione infeodationeque hereditaria etiam desuper confectis de et super sexaginta et quatuor bollis farine avenatice annuatim levandis et habendis sibi hereditarie tanquam

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pro stipendio et feodo suis ratione dicti balliatus officii ex quibusquidem terris dicti monasterii prius predecessoribus dicti nobilis domini comitis concessis incipiendo a croppa anni Domini millesimi quingentesimi quinquagesimi noni prout latius in ipsius commissionis literis et carta infeodationis seu literis autenticis desuper habitis dicitur contineri Nos noveritis recipisse inspexsisse et mature considerasse hujusmodi commissionis tenorem hiis presentibus pro sufficienter expressatis habere volumus de data ejusdem prout habetur videlicet apud Pasletum anno incarnationis Dominice quingentesimo sexagesimo primo pridie nonas Julii pontificatus Sanctissimi domini nostri Pape Pii anno secundo cuius tenor hic omittimus brevitatis gratia Post cujusquidem commissionis apostolice predicte presentationem et receptionem inspectionem sic ut prefertur nobis et per nos respective factas fuimus cum ea qua decuit instantia ex parte prefati nobilis domini de Cassillis requisiti quatinus ad executionem hujusmodi commissionis predicte rite procedere juxta et secundum formam et tenorem ejusdem et citationem legitimam propterea ut moris decernere derigereque dignaremur Unde nos attendentes requisitionem hujusmodi fore justam et rationi consonam necnon mandatis Apostolicis in hac parte nobis directis executioni debite demandare volentes prout tenemur idcirco presentes literas nostras citatorias sub hac forma solita et consueta duximus decernentes et dirigentes Vobis igitur et vestrum cuilibet in virtute sancte obedientie etiam sub pena a suspendendo a divinis sententie late in hiis scriptis nisi feceritis ea que vobis in hac parte committimus et mandamus districte precipiendo mandamus quatinus auctoritate apostolica nobis commissa citare curetis prefatum venerabilem patrem dominum Quintinum commendatarium perpetuum predicti monasterii Crucis Regalis et ejusdem loci conventum personaliter apprehensos si eorum personales presencias commode habere poteritis alioquin apud prefatam eorum monasterialem ecclesiam seu alubi apud loca suarum residentiarum ubi verisimiliter de presentibus ad ipsorum noticiam devenire poterit necnon omnes et singulos alios interesse habentes habereve putantes seu pretendentes in hac parte primo 2° 3° et peremptorie unico tamen contextu pro triplici edicto quos nos tenore presentium sic citamus quod compareant legitime coram nobis aut aliquibus duobus nostrum predictorum conjunctim in ecclesia parrochiali de Mayboil predicte Glasguensis diocesis loco judiciali inibi die decimo tercio mensis Octobris proxime et immediate sequentis hora causarum solita et consueta ante meridiem ad videndum et audiendum memoratam cartam concessionis infeodationis que

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predictarum balliatus officii hereditarie prefati dominii terrarum monasterii predicti Crucis Regalis vulgo Corsraguel nuncupati sic ut prefertur hereditarie predicto nobili domino et potenti domino Gilberto comiti de Cassillis heredibus suis masculis et assignatis unacum dicto feodo videlicet sexaginta quatuor bollis farine avenatice annuatim per ipsos dominum commendatarium et conventum hujusmodi monasterii ex certis causis rationabilibus legitimisque in eadem carta predicta specificatis sibi nobili domino comiti hereditarie in forma sub ipsorum sigillo capituli et subscriptionibus suis manualibus confectam et concessam in judicio coram nobis ut supra judicialiter produci recognosci unacum predictis literis commissionum desuper nobis predictis directis necnon concessionem assignationemque sexaginta quatuor bollarum farine avenatice predicte sibi nobili domino assignatarum percipiendarum et levandarum hereditarie ex quibusdam terris hujusmodi monasterii predicti ut prefertur nomine stipendii pro executione predicti ballivatus officii suprascripti dominii terrarum sepefati monasterii unacum servicio tenentium et occupatorum earundem terrarum predictarum sibi etiam domino comiti heredibusque suis masculis et assignatis propterea confectas et hereditarie concessas per nos vigore predicte commissionis apostolice ratificari approbari et confirmari eiisque perpetue firmitatis robur adjici ac ea valida et efficacia existere suosque effectus plenarios sortiri et perpetuo inviolabiliter observari sic que per quoscunque judices quavis auctoritate fungentes sublata eiss et eorum cuilibet quavis aliter judicandi et interpretandi facultate et auctoritate judicare et interpretari debere et diffiniri Et quicquid secus attemptari contigerit irritum et inane decerni omnesque et singulos tam juris quam facti defectus si qui forsan in premissis intervenerint suppleri ceteraque alia quecunque in ipsius commissionis literis predictis debite executioni secundem tenorem et formam earundem demandari decerni necnon testes super informatione nostra in premissis coram nobis producendos recipi jurari et ad examinationem admitti processumque nostrum judiciarum super hiis premissis omnibus virtute predicte commissionis cognito nobis quantum sufficit de premissis fiendum et concedendum decerni et diffiniri ac desuper concedi Alioquin ad allegandum causam rationabilem seu causas rationabiles in oppositum cum intimatione debita ut moris est certificantes eosdem sic citatos seu citandos quod sive in dicte citationis termino comparere curaverint sive non comparuerint ut supra Nos aut aliqui duo nostrum conjunctim in judicio predicto procedere et ibidem ad instantiam supplicationem et requisitionem dicti comitis ad ratificationem et confirmationem

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perpetuam super premissis omnibus cum inde secutis et secuturis licitis tamen et honestis etiam cum supplemento defectuum quorumcunque siqui in premissis intervenerint legitime decernere et processum nostrum desuper in forma debita dandum et concedendum juxta et secundum formam vim et continentiam supradicte commissionis apostolice nobis ut preferter ob id directe decernere et concedere volumus et intendimus voluntve et intendunt justicia mediante ipsorum sic citatorum contumacia seu absentia in premissis minime obstantibus Insuper citetis legitime quosdam testes fide dignos in premissis necessarios pro nostri animi informatione desuper videlicet dompnos Johannem Mur suppriorem Johannem Mur juniorem Nevinum M'Kewne Gilbertum M'Burne quos nos etiam tenore presentium sic citamus quod compareant coram nobis die hora et loco suprascriptis ad perhibendum fidele testimonium veritati super narratis et contentis ac aliis requirendis executionem predicte commissionis concernentibus sub pena excommunicationis majoris Et presentes debite executas et indorsatas earundem latori reddatis Datum apud Mayboil sub subscriptione et signo manualibus notarii ac tabellionis nostri infrascripti die secundo mensis Octobris anno Domini millesimo quingentesimo se[x]agesimo secundo coram hiis testibus Willelmo Stevin domino Michaele Leirmont et Johanne Murthe ac David Kennede, cum diversis aliis testibus ad premissa vocatis pariter et requisitis.

Et ego Jacobus Ros clericus Glasguensis diocesis sacraque auctoritate apostolica notarius publicus ac prescriptorum judicum scriba et tabellio Quia prescripte commissionis presentationi acceptationi et presentium decreto ceterisque premissis unacum prenominatis testibus personaliter presens interfui Eaque omnia et singula sic scivi vidi et audivi ac in notam sumpsi Ex qua hoc presens publicum instrumentum manu alterius fideliter scriptum exinde confeci et in hanc publicum formam instrumentalem redigi signoque nomine meis solitis et consuetis signavi in robur et fidele testimonium omnium et singulorum premissorum rogatus et requisitus. JACOBUS ROS.

[Indorso]: Die Dominica videlicet die quarta mensis Octobris anno Domini millesimo quingentesimo sexagesimo secundo Ego dominus Duncanus Makclewane curatus ecclesie parrochialis de Mayboil ante meridiem tempore solite summe misse accessi primo ad personalem presentiam venerabilis patris Quintini commendatarii monasterii Crucis Regalis Glasguensis

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diocesis dominos Gilbertum McBurnney Gilbertum Kennedy et Joannem Haneyne monachos dicti monasterii personaliter apprehensos deinde ad ecclesiam eorum monasterialem ubi eorum stalli esse solebant et ad fores eorum capituli dicti monasterii Et ibidem predictum commendatarium et predictos suos monachos personaliter apprehensos citavi et reliquum dicti monasterii conventum apud eorum stalla in choro et loca in eorum capitulo predicto secundum vim formam et tenorem retroscripte citationis retroscriptorum judicum citavi ad comparendum die et locis prescriptis Necnon coram hiis testibus Archibaldo Lymekillis Hugone Kennedy et domino Willelmo Tod.

Ita est dominus Duncanus McClellane curatus de Mayboill ad premissa requisitus manu propria. D. D. M.

Abstract.

Letters of Citation by Thomas, perpetual Abbot of the monastery of Glenluce, of the Cistercian Order, diocese of Whithorn, David Gibsoun and John Houstoun, canons of the metropolitan church of Glasgow, appointed Judges delegate and commissaries, together with John, Abbot of New Abbey, their colleague in that part, by commission from John, Archbishop of St. Andrews, primate of Scotland, legatus natus, etc., addressed to the vicar or curate of the parish church of Maybole, stating that they had seen and considered letters patent of the said Archbishop directed to them, and presented on behalf of Gilbert, Earl of Cassillis, for confirmation of the appointment and admission of the said earl to the office of heritable bailie of the lordship and lands of the monastery of Crosraguel, granted by Quintin, Commendator of the monastery and convent thereof, with grant of 64 bolls of oatmeal yearly, for fee of the said office, from certain lands formerly granted to the predecessors of the said earl, beginning with the crop 1559; which commission is dated at Paisley 6th July 1561: Which being presented to the Judges delegate, and they being required on the part of the said Gilbert, Earl of Cassillis, to proceed to due execution thereof, they hereby directed their Letters of Citation to summon Quintin, perpetual commendator of the monastery of Crosraguel and convent of the same place, to compear before the said Judges delegate in the parish church of Maybole, in the judicial place therein, on the 13th October next following, to hear and see the said Charter of grant and infeftment of the said

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office of bailiery produced in judgment before the said abbot and commissaries, with the foresaid letters of commission and grant of 64 bolls aforesaid, and by the said Judges delegate to be approved and confirmed, or to assign a reasonable cause to the contrary; and to cite necessary witnesses, viz., Sir John Mur, subprior, John Mur younger, Nevin M^c^Kewne, Gilbert M^c^Burne, to compear the same day and place, under pain of the greater excommunication: Given at Maybole, 2d October 1562, under the sign and subscription of James Ros, notary public and clerk to the commissaries.

An indorsation bears that on Sunday the 4th October 1562, Sir Duncan M^c^Clellane, curate of the parish church of Maybole, at the time of high mass, passed to the personal presence of Quintin, Commendator of the monastery of Crosraguel, Sirs Gilbert M^c^Burnne, Gilbert Kennedy, and John Haneyne, monks of the said monastery, at the church of their monastery, where their stalls were wont to be, and cited them and the rest of the convent to compear before the said Judges, day and place aforesaid.

76. *Contract between Quintin Abbot of Crossaguel and Sir Hew Kennedy regarding the salmon fishings in the river Girvan.*—[*19th January* 1562.][1]

At Mayboill the xix day of Januar in the yeir of God J^m^ v^c^ lxij yeiris it is commonit betwix my Lorde of Corsragwell on that ane pairt and Sir Hew Kennedy of Garvan manis Knycht on that uther pairt as followis That is gif the said Sir Hew persewis and obtenis the rycht and decrete of the hale fischeing of the wattir of Garvan heretabillie to him and his airis than in that case the said Sir Hew sall bind and oblis him his airis and assignayis till pay yeirlie to the sade commendatour of Corsragwell and his successouris for evir foure dosane of salmont for teind and gif the sade Sir Hew tynis[2] the pley and rycht thairof he sall tak the samyn fischeing in few and heretage for sex dosan of salmont yeirlie to be payit to the said commendatour and his successouris attour the sade Sir Hew and his airis sall pay alwayes yeirlie nyne dosand of salmont to the saide commendatour indurand his lyftym In witnes heirof athir of the sadis pairteis hes subscrivit this present wryting day yeir and place abone writtin befoir David Kennedy of Culzeane James Kennedy of Vehtwallure Gilbert Kennedy younger of Balmaclannochane and Gilbert M'Dowall The entre to be at the Beltan

[1] *Culzean Muniments*, No. 626.

[2] "loses."

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precedant the dait heirof and athir of the saidis pairteis to provyde thair rychtis as thai think best be avyse of men of law.

(Signed) CROSRAGWELL.
HEW KENYDY of Gervan maīs Kny$^{t.}$

ABSTRACT.

Agreement between the Abbot of Crosraguel and Sir Hew Kennedy of Girvanmains, knight, bearing that if Sir Hew Kennedy shall raise action and obtain decree finding him entitled to the fishings of the water of Girvan, then and in that case he obliges him and his heirs to pay to the Abbot and his successors four dozen of salmon (teind), but if Sir Hew shall lose the action he shall take the fishings in feu for payment yearly of six dozen of salmon to the Abbot and his successors; and shall over and above pay yearly to the Abbot during his life nine dozen of salmon from and after the feast of Beltan then next. Dated 19th January 1562.

77. *Assedation by Quintin Abbot of Crosraguel to the Earl of Cassillis of the whole Benefice of the Abbey.*—[*8th April* 1564.][1]

Be it kend till all men be thir present Lettres Us Quintine be the permissioun of God Commendatour of the Abbacy of Crosraguell to haif set and for [ane] certane sowme [of] money and uthir dewiteis underwrittin to haif lattin and be the tenour herof settis and for ane certane sowm of money and uthir dewiteis underwrittin lattis to ane noble and potent Lord Gilbert Erle of Cassillis his airis maill and assignais All and haill our benefeis of Crosraguell with kirkis teyndis malis proffittis firmes emolimentis and uthir dewiteis quhatsumevir during the space of fyve yeris nixt and immediat following the fest of Philip and Jacob callit Beltane, in the yeir of God j^{m} v^{c} threscoyr four yeiris Quhilk fest of Beltane salbe the intre of the sad Erle and his foirsadis in and to the tak and set of the said benefeis with all proffittis kirkis and emolimentis pertening thairto and fra thynefurth to induir for the sad space of fyve yeiris with all and syndry kirkis teyndis firmes malis gersummes proffittis and dewiteis pertening thairto with mos mure medo turfe teill wod wattiris and with all and syndry uthir com-

[1] *Culzean Muniments*, No. 643.

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moditeis and fredomes pertening thairto siclik as we mycht do our self ony maner of way. The sad Erle and his foirsadis payand thairfor yeirlie induring the sad space to us our successouris or factouris the sowme of sevyne hundreth markis money [1] at twa usuale termes in the yeir Witsoneday and Martimes in wintir be equale portionis togidder with all and haill the uphald of the conventis portionis thairof usit and wont And we forsuith the sad commendatour for us and our successouris this present tak and assedatioun for the space foirsad in all thingis abone expremit sall warrand acquiet keip and defend the samyn to the sad Erle and his foirsadis at all handis but fraud or gile In witnes of the quhilk thing we haif subscrivit this present tak and assedatioun with our hand at Mayboill the aucht day of Aprile the yeir of God j^{m} v^{c} threscoyr four yeiris before thir witnes Dene Johnn Mure younger William Stewin and James Ros notar with uthiris divers. CROSRAGUELL.

ABSTRACT.

Letter of Assedation by Quintin Abbot of Crosraguel to Gilbert Earl of Cassillis of the Benefice of Crosraguel, with the churches, teinds, mails, fermes, profits, commodities, and emoluments thereof, for the space of five years immediately after the feast of Beltan then next, in the year 1564. Dated 8th April 1564.

78. *Discharge by Abbot Quintin to the Earl of Cassillis of* 350 *merks.*—[27*th July* 1564.][2]

We Quintine Commendatour of Crosraguell grantis us to haif resavit be the handis of ane noble and potent Lord Gilbert Erle of Cassillis the soum of thre hundreth and fifty merkis money and that for the medsymeris termes maill of our benefeis of Crosraguell liand in the Erldom of Carrik and scherefdome of Air conform to the tak set be us to the sad Erle of the sad haill benefeis of Crosraguell in the yeir of God j^{m} v^{c} threscoyr four yeris and thairaf and all utheris termes preceding the sad yeir of God we hald us weill content and payit be the handis of the sad Erle And for us and our successouris quitclames and dischargis the sad Erle of the sad termes maill and all utheris yeris preceding the dait herof of the soume

[1] Equal to £466 : 13 : 4.

[2] *Culzean Muniments*, No. 649.

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continet in the sad tak and all uthir dewiteis aucht be him be thir presentis for now and evir be this acquittance subscrivit with our hand at Mayboill the xxvij day of Junij the yeir of God j^{m} v^{c} thre scoyr four yeris befoir thir witnes Dene Johnne Mure younger, Thomas Nasmyth, and Sir William Tod with utheris divers. QUITYNE cōmēdator of Crosragwell.

ABSTRACT.

Discharge by Quintin Abbot of Crosraguel to Gilbert Earl of Cassillis of the sum of 350 merks, being a term's rent of the benefice of Crosraguel due by the earl to the abbot at Martinmas then last. Dated 27th June 1564.

79. *The reported Death by poison of Abbot Quintin Kennedy.*—[22*d August* 1564.][1]

August 22 die. Coelestia petijt Quintinus Kennedius comitis Cassiliæ frater, et abbas Crucis Regalis, post varios cum Hæreticis congressus, superatosque publica disputatione hostes, ab inferni asseclis medicato poculo sublatus vitam cum morte commutavit anno Christi 1564. Huius multa sunt et doctissima de fidei dogmatis monimenta.

Quintinus Kennedius abbas Corsraguellius frater comitis Cassilliæ, Robertus Maxwellius, et alij, qui in publicis disputationibus de articulis fidei Knoxium, Paulum Meffen, et socios prostraverunt, non innixos soliditati scripturæ et veritatis, sed proprij sensus et libidinis ruinoso fundamento, et gladiis, quod fatetur Beza in ultimis annotatis.

80. *Gift to George Buchanan the Historian of a Yearly Pension due from the Rents of Crosraguel.*—[9*th October* 1564.][2]

Ane Lettre maid to Maistre George Buchquhannane, for all the dayis of his liffe, of the Gift of an zeirlie pensioune[3] of the sowme of

[1] Davidius Camerarius Scoti *De Scotorum Fortitudine*, pp. 168, 277. Paris, 1631.

[2] *Records of the Privy Seal* in Tho. Ruddiman's *Animadversions on Vindication of Mr. George Buchanan*, p. 86. 1749 edition.

[3] From this date Buchanan frequently styled himself Pensionarius de Crosragwel; *e.g.* in *Reg. Episc. Brechinensis.* He was also appointed Director to the Chancery.

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five hundred pundis usuale money of this realme, to be zeirlie uptakin be him, his factoris and servitouris in his name, at twa termes in the zeir, Whitsounday and Martimes in winter, be equale portionis, of the reddiest fruittis and emolimentis of the Abbay of Corsragwell, now vacand and being in hir Majesties handis throw the deceis of umquhile Master Quintene Kennedie last abbot thairof. And for payment of the said zeirlie pensioun, assignis to him the haill temporalitie of the said Abbay, with the place, manss,[1] orchardis, mains, woodis, coilheuchis, and pertinentis quhatsumevir pertaining thairto: With power to him to set and rais the said temporalitie, outputt and imputt the tennentis thairof, and utherwise to use the samyn als frelie in all sortis as the said umquhile abbote mycht have in his liftyme. And gife the samyn sall not be fundin sufficient and aneuch for zeirlie payment of the said soume of fyve hundredth poundis, in that case her Majestie assignis to him sa mekle as he sall inlaik of the said temporalitie of the reddiest teyndis and fruitis of the spiritualitie of the said Abbaye, viz., of the Kirkis of Girvane and Kirkoswald belangand thairto. And that the said Lettre, etc.

At Halirudhous the nynt daye of October, the zeir of God M.V^{c} Lxiv. zeris.

81. *Action by Mr. George Buchanan, Pensioner of Crosraguel, against the Earl of Cassillis.*—[16*th October* 1564.][2]

Apud Edinburgh, xvj Octobris, anno etc. lxiiij^{o} Sederunt: Jacobus Moravie Comes, Archibaldus Ergadie Comes, Jacobus Comes de Mortoun, Cancellarius, Joannes Atholie Comes, Patricius dominus Ruthven, Secretarius, Thesaurarius, Clericus Registri, Clericus Justiciarie. Advocatus.

The quhilk day, anent the complaint maid be maister George Buchquhannan, makand mentionn that quhair he hes be gift of our Soverane Lady, for all the dayis of his lyff, ane yeirlie pensioun of the soum of v^{c} li. to be yeirlie uptaken of the frutis and emolumentis of the Abbay of Corsragwell, and for payment thairof thair is assignit to him the haill

[1] *i.e.* The Abbot's house; probably the fine new building which was then just completed.

[2] *Register of the Privy Council of Scotland*, vol. i. pp. 288, 289.

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temporaltie of the said abbay, with the place, manis, wod, and pertinentis thairof. Nevertheles, Gilbert Erle of Cassilis hes, sen the deceis of the last Abbot of Corsragwell, enterit within the place and abbay thairof, withholdis, and on na wayis will deliver the samyn to the said Maister George, without he be compellit, lyke as at mair lenth is contenit in the said complaint. The saidis Erle of Cassilis and Maister George comperand bayth personallie, the Lordis of Secreit Counsall ordanis lettres to be direct simpliciter to charge the said Gilbert Erle of Cassillis to deliver the said abbay and place of Corsragwell, with the orchartis and yairdis thairof, to the said Maister George, or ony in his name havand his power in his name to ressave the samyn, within sex dayis nixt eftir the charge, undir the pane of rebellioun: and gif he failze, the said sex dayis being bipast, to put him to the horne. And as to the remanent pointis of the said complaint, referris the samyn to the decisioun of the Lordis of Counsall and Sessioun; ordinand the said maister George to persew befoir thame or uther ordiner jugeis as he thinkis caus.

ABSTRACT.

Order of the Privy Council, bearing that Mr. George Buchanan had complained to them that the Earl of Cassillis had entered within the Abbey of Crosraguel since the decease of Abbot Quintin, and would not deliver it up to Mr. George Buchanan; therefore the Lords of Council ordain letters to be directed, charging the earl to deliver the same to the said Mr. George within six days, under pain of horning. At Edinburgh the 16th of October 1564.

82. *Gift by Queen Mary to Allan Stewart of the Abbacy of Crosraguel.*—[19*th July* 1565.][1]

Marie be the grace of God Quene of Scottis To the Lordis of oure Counsale and Sessioun oure Comptrollare present and tocum greting Wit ye us ffor the trew and thankfull service done to us and oure derrest moder of gude memorie Marie Quene douriare and Regent of oure realme be oure dailie servitour James Stewart of Cardonald[2] in his favouris to have gevin and grantit and be thir oure lettres gevis and grantis to our lovit Clerk

[1] *Culzean Muniments*, No. 656.

[2] Evidently a man of different views from his father, the Stewart of Cardonald who was deputed by the English Government to keep a watch on Abbot John Hamilton of Paisley (v. *State Papers, Scotland*, Edward VI., i. 13).

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Maister Alane Stewart[1] All and haill the Abbay of Corsragwell now vaicand and beand in our handis throucht the deceis of umquhile Maister Quintene Kennedy last abbot thairof with kirkis personagis vicarages thairof with all and siudrie woddis landis teindis rentis mailis fermes proffittis pertinentis emolimentis and dewiteis quhatsumevir pertening and belanging to the said abbacye liand within the diocie of Glasgw baillierie of Carrik and scherefdome of Air als frelie as the said Maister Quintene Kennedy or ony uthir abbote thairof bruikit the samin during the said Maister Allanis lyftyme to be bruikit joisit and possessit be him and he to intromet uptak ressave and dispoun upoun the landis teindis mailis fermes fruitis proffittis emolimentis and dewiteis quhatsumevir pertening thairto chairgeing all parochynnaris of kirkis pertening to the said abbay tennentis and intromettouris with the landis teindis kirkis teindis and uthiris dewiteis of the samin to reddilie answer intend obey and mak payment to the said Maister Allane as undoutit abbot foirsaid his factouris and servitouris in his name and to nane utheris of all and sindrie teindis landis fruitis emolimentis mailes fermes proffittis and dewiteis and all uthiris thingis pertening to the said abbay yeirlie and termelie during his lyftyme under all hieast pane and charge declarand be thir presentis oure will that na takis have langar place of the said abbay or ony pairt or partiall thairof except allanerlie the thre yeiris takis quhilkis ar tocum maid be the last abbot Maister Quintene Kennedy to Gilbert Erle of Cassilis[2] attoure we will and grantis for us and our successouris decernis and ordanis that our present gift donatioun and dispositioun of the said abbay is and salbe in all tymes cuming of als grete strenth force and to the said Maister Allane during his lyftyme as he had obtenit the samin be bullis provisioun or uthirwayis in the Court of Rome be oure supplicatioun expeid to that effect and siclike and als sufficient as ony utheris bruikis and posseceis benefices within oure realme be bullis and provisioun of the said Court of Rome or uthirwayis quhatsumevir but revocatioun or contradictioun quhatsumevir to be maid in the contrare and ordanis lettres executoriallis of horning poinding and inhibitioun to be direct for answering and obeying to him of the samin yeirlie and termelie

[1] Apparently a younger brother of James Stewart of Cardonald, though we have no direct evidence of this. In 1505 Allan Stewart of Cardonald got a tenement in Stockwall in feu of the Monastery of Paisley, and witnessed a charter of the Earl of Lennox in 1521. *Allan* thus was a patronymic in the Cardonald family (Hamilton of Wishaw's *Account of Renfrewshire*, p. 78). Cardonald was a "pleasant, convenient dwelling, with good house and enclosures" (*ibid.*)

[2] V. *ante*, No. 77.

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as said is during his lyftyme Gevin under oure Privie Seile at Edinburgh the nyntene day of July the yeir of God j^{m} v^{c} lxv yeiris and of oure Regnne the xxiij yeir.[1]

Hec est vera copia abbreviationis Litere prescripte contente in libro secreti sigilli S.D.N. regine extracta de eodem copiata et collationata per me Thomam Sinclare notarium publicum ac dicti secreti sigilli scribam deputatum sub meis signo et subscriptione manualibus.

Ita est Thomas Sinclare manu propria.

ABSTRACT.

Gift by Queen Mary to Mr. Allan Stewart, by which, for the true and faithful service done to her and to Mary Queen Dowager of Scotland [of good memory her mother], by James Stewart of Cardonald, she gives to Mr. Allan Stewart the Abbacy of Crosraguel, then vacant by the decease of Mr. Quintin Kennedy, late abbot thereof, with the churches, parsonages, and vicarages, woods, lands, teinds, rents, mails, farms, profits, duties, and emoluments belonging thereto, lying in the diocese of Glasgow and bailiary of Carrick, to be enjoyed and possessed by the said Mr. Allan Stewart during all the days of his life, etc. Dated 19th July 1565.

83. *Apostolic Letters from John Archbishop of St. Andrews to Allan Abbot of Crosraguel.*—[26*th September* 1565.][2]

Joannes[3] miseratione diuina Sanctiandree archiepiscopus totius regni Scotie primus legatus natus a Pasleto monasterio ordinis Cluniacensis Glasguensis diocesis Abbas etc. et Apostolice sedis cum potestate et facultate legati a latere ad serenissimam et excellentissimam principem Mariam Scotorum reginam eiusque regnum et dominia illi subiecta nuncius a sede apostolica specialiter deputatus dilecto nobis in Christo Alano Steuard

[1] The first instance in this history of the right of the sovereign to appoint an abbot. It was wrested from the chapter towards the end of the previous century.

[2] *Culzean Muniments*, No. 664.

[3] John Hamilton, Abbot of Paisley from 1525 to 1547, when he was appointed to the see of St. Andrews on the murder of Cardinal Beaton, but retained the Abbacy. He was the great figure in the defence of the old Church against John Knox, and a zealous partisan in Queen Mary's cause. He helped her to escape from Lochleven, and baptized the young Prince in 1566. He was the last Archbishop of the old Church of Scotland, and was executed at Stirling in 1571.

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artium magistro de nobilium familia nato salutem in domino sempiternam Literarum scientia vite ac morum honestas aliaque laudabilia probitatis et virtutum merita super quibus apud nos fide digno commendaris testimonio nos inducunt vt te fauore prosequamur oportuno. Cum itaque monasterium beatissime Virginis Marie Crucis Regalis[1] vulgo Corsraguell nuncupatum ordinis Cluniacensis Glasguensis diocesis a monasterio nostro de Pasleto dependens[2] et illius sic vt in nouorum intrantium abbatum introitibus ac professionibus et religionis emittendis votis nostre filiationis esse dignoscitur quodque cum existentiis in suis insignibus et aliis monasterio incumbentibus conuentuale insignitum extat et propterea quocies vacat de patronatu ad nominationem siue presentationem principis Scotie pro tempore existentis iure et consuetudine corone ipsius regni necnon ex indultis et priuilegiis diuersorum summorum pontificum regibus et principibus Scotie intra certos menses a die vacationis eiusdem spectans et pertinens per mortem quondam bone memorie magistri Quintini Kennedie istius monasterii dum viveret vltimi abbatis seu commendatarii et possessoris eiusdem extra Romanam curiam et in partibus de mense Julio[3] in anno Domini millesimo quingentesimo sexagesimo quarto diem claudentis extremum vacauerat et vacet ad presens et tanto tempore vacauerit et abbatis solacio destitutum quod eius prouisio culpa et defectu interesse habentium ad idem tempestiue minime presentantium ad Sanctissimum dominum nostrum papam et apostolicam sedem cuius vices in presenti valore annuo dicti monasterii considerato uigore facultatum nobis a sede apostolica concessarum licet immeriti dante Domino gerimus et potimur iuxta diuersa concilia et constitutiones ac alias spectauerit et pertinuerit ac spectat et pertinet Nos igitur partes nostras et officium nobis in hac parte incumbentes attendentes et ne prefatum monasterium Crucis Regalis sic vt premittitur tam diu vacans ex monasterio nostro Pasletensi dependens et tam longe ab vrbe Roma et apostolica sede per tot maris et terrarum interualla distans diutius vacationis incommodum siue dispendium patiatur neve obsequia in eo Deo dedicata et promissa negligantur vel suffragia pro ipsius fundatoribus et aliis iure fundationis fraudentur quantum cum Dei adiutorio rerum et temporis occurentium

[1] We have only once met with this form of the name before. It is purely arbitrary, and probably has caused the mistaken etymology ever since. See Introduction.

[2] Thus, even after the downfall of his monastery, the Abbot of Paisley loses no opportunity of asserting the superiority of Paisley over Crosraguel, as established by Bishop William in 1244.

[3] Though Camerarius states the day of his death to be August 22.

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qualitate pensata possumus seu debemus tibi qui presbiter ordinatus existis pro quo illustrissimus Henricus et serenissima Maria principes Scotorum Rex et Regina supplicarunt et te dictum monasterium nominarunt et presentarunt premissorum meritorum tuorum intuitu specialem gratiam facere volens predictum monasterium Crucis Regalis cum omnibus suis iuribus preeminentijs et pertinentijs tam iure monasterii nostri de Pasleto cui subesse dignoscitur cum consensu et assensu capituli eiusdem[1] quam iure et ratione primarie regni et legationis nate quibus fungimur ac virtute et vigore facultatum legationis a latere nobis in sede apostolica concessarum, supplicatione nominatione et presentatione principum prefatorum aliisque premissis suadentibus contulimus prouidimus ac conferrimus et prouidemus Quocirca dilectis nostris capitulo et conuentui monasterii Crucis Regalis necnon vassallis subuassallis colonis agricultoribus tenentibus feudatarijs et alijs terrarum et possessionum dicti monasterii laboratoribus mandamus et precipimus quatenus dictum magistrum Alanum Steuart sic vt premittitur ad supplicationem principum nostrorum iuribusque rationibus et auctoribus preexpressis ad dictum monasterium Crucis Regalis alias Corsraguell ad diutinam vacationem euitandam pro tempore prouisum vel suum procuratorem ad hoc ab eo legitime constitutum admittant et recipiant ac illi et factoribus suis in administrationem fructuum reddituum et prouentuum eiusdem quantum in eis est vel fuerit responderi seruatis ceremonijs et consuetudinibus et iuramentis in introitibus nouorum et intrantium ad idem monasterium solitis et de preterito obseruatis In quorum omnium et singulorum fidem et testimonium premissorum has presentes nostras prouisionum literas exinde fieri et nostra manuali subscriptione et signo secretarij nostri subscripti roboratas muniuimus. Apud monasterium nostrum Pasletense sexto calendas Octobris anno incarnationis dominice millesimo quingentesimo sexagesimo quinto indictione septima pontificatus sanctissimi in Christo patris et domini nostri domini Pij diuina prouidentia Pape quarti anno quarto.

[1] Another striking instance of the assumed right of Paisley to control the abbot's election at Crosraguel (cf. No. 41 *ante*).

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ABSTRACT.

Apostolic letters by John, Archbishop of St. Andrews, primate of Scotland, legatus natus, Abbot of Paisley, with power of a legate a latere from the Apostolic see, and nuncio from the same to Mary Queen of Scots, to Alan Stewart, master of arts, descendant of a noble family, providing him to the Abbacy of Crosraguel, dependent upon the Abbacy of Paisley, then vacant by the decease of Mr. Quintin Kennedy in July 1564, and that in compliance with the request and on the presentation of King Henry and Queen Mary. The appointment is made with consent of the Chapter of Paisley and in virtue of the Archbishop's powers as legate and legate a latere, in consequence of the injury that might arise to the Abbey through a long vacancy, being at so great a distance from the court of Rome. With right to the fruits, rents, and emoluments of the abbey, and keeping the ceremonies used and wont, on the admission of intrants and novices.[1] Dated at the monastery of Paisley, 26th September 1565.

84. *Instrument of Institution of Allan Stewart as Abbot of Crosraguel.*—[16*th December* 1565.][2]

In Dei nomine, Amen: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno Incarnationis dominice millesimo quingentesimo sexagesimo quinto mensis vero Decembris die decimo sexto indictione nona Pontificatus sanctissimi in Christo patris et domini nostri domini Pii diuina providentia pape quarti anno sexto In mei notarii publici et testium subscriptorum presentia personaliter constitutus venerabilis vir Magister Alanus Steward commendatarius perpetuus monasterii de Crosraguell Cluniacensis ordinis Glasguensis diocesis accessit ad dictum monasterium de Crosraguell nuncupatum et inibi literas patentes donationem[3] et dispositionem serenissime principis nostre Mariæ Dei gratia Scotorum

[1] The rule of admission is an admirable instance of the severity of the Benedictine code or rule. "For four days to stand at the gate and entreat the porter, who is to repel his advances in the severest manner. If he perseveres and obtains an entrance, he is to be led into a chamber appointed for strangers, there to be attended by the most ancient men in the monastery, who would acquaint him with the severest rules, and then with the remainder if he remains firm. He is then made a novice, and is again examined in six months, and again in four months. If he then passes, he is numbered among the brethren."

[2] *Culzean Muniments*, No. 668.

[3] No. 82 *supra*.

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regine de et super huiusmodi monasterio predicto illiusque juribus annexis et pertinentijs vniuersis sibi Magistro Alano factas et concessas sub ipsius reginee Maiestatis secreto sigillo sigillatas de data apud Edinburgum decimo nono die mensis Julii anno Domini millesimo quingentesimo sexagesimo quinto et regni ipsius reginee Celsitudinis predicte anno vigesimo tertio Causante vacatione predicti monasterii per obitum seu decessum quondam Magistri Quintini Kennedy vltimi illius commendatarii et possessoris dum vixerat eiusdem prout in ipsis literis donationis et concessationis reginee Maiestatis predicti expresse continetur Necnon literas etiam concessionis provisionis et dispositionis desuper concessas per reuerendissimum in Christo patrem et dominum Johannem Sancti Andree archiepiscopum[1] regni Scotie primatem legatum natum monasteriique de Pasleto abbatem ac cum potestate et facultate legati a latere sancte sedis apostolice ad prelibatam serenissimam et excellentissimam principem nostram Mariam Scotorum reginam eiusque regnum et dominia illi subiecta nuntium a sede apostolica specialiter deputatum super ipso monasterio predicto de Crosraguell sicut prefertur vacante confectas vigore sue preeminentie iuris patronatus et presentationis ac nominationis et dispositionis predicti monasterii Crosraguell sibi reuerendissimo patri archiepiscopo tanquam abbati predicti monasterii Pasleti spectantium et competentium Propterea quia huiusmodi locus Crosraguell cella subdita predicti monasterii de Pasleto esse dinoscitur Ac etiam ratione sue preeminentie primatie et legatie nate regni predicti Etiam in vim sue facultatis et officii legatie apostolice predicte sibi gratiose commissarum et quibus fungitur in hac parte Accedente etiam ad hoc speciali supplicatione[2] prelibate principisse nostre Marie regni Scocie predicti confectas prout in iisdem reuerendissimi patris archiepiscopi abbatis predicti monasterii Pasleti etc. literis patentibus plenius continetur sub eiusdem subscriptione manuali ac sigillo sui officii legatie apostolice predicte vna cum subscriptione et signo manualibus Magistri Andree Oliphant secretarii corroboratas de data apud monasterium Pasleti sexto Kalendas Octobris anno incarnationis Dominice millesimo quingentesimo sexagesimo quinto, etc. Quasquidem literas predictas prefatus Magister Alanus suis in manibus tenens et habens ibidem gratia nanciscendi et obtinendi institutionem legittimam et possessionem corporalem realem et actualem huiusmodi monasterii predicti iuriumque fructuum annexorum et pertinentiarum eiusdem vigore earundem literarum respectiue predictarum vt asseruit Vbi vero dictus dominus

[1] No. 83 *supra.*

[2] Referred to in No. 83.

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commendatarius diligenter de domino subpriore[1] et conventu dicti monasterii inquisiuit Et causante absentiam dicti subprioris et conventus nemone ipsorum presente ibidem preter vnicum religiosum professum huiusmodi loci nomine, viz., dominum Michaelem Dewar[2] nuncupatum, Prefatus dominus commendatarius eundem dominum Michaelem sic personaliter apprehensum ibidem modeste et cum ea qua decuit instantia requisiuit quatenus sibi commendatario ingressum ecclesie monasterialis dicti loci et stallum seu sedem principalem domini Abbatis huiusmodi monasterii sibi ostenderet Vnde dictus dominus Michaell monachus sic requisitus manualiter prefatum dominum commendatarium ad templum Pontum et locum principalem stallum nuncupatum dicti abbatis inibi solitum et consuetum induxit et appunctuauit Et statim dictus dominus commendatarius ibidem predictas literas donationis concessionis provisionis et dispositionis prelibate S. D. N. regine ac prefati reuerendissimi patris archiepiscopi primatis regni abbatisque predicti, etc., respectiue huiusmodi monasterii sibi factas et concessas vt premissum est dicto domino Michaeli Dewar monacho publice porrexit sibique easdem ad manus suas ex preceptis institutionis exhibuit. Quibus vero literis predictis sic sibi per dictum dominum commendatarium porrectis et exhibitis diligenterque per ipsum ibidem inspectis et debite consideratis idem dominus Michael tanquam obediente filius in hac parte indilate prefatum Magistrum Allanum commendatarium dicti loci personaliter vigore earundem literarum predictarum ibidem in et ad corporalem realem et actualem possessionem huiusmodi monasterii de Crosraguell iuriumque annexorum fructuum proventuum et pertinentiarum eiusdem iuxta et secundum vim tenorem et effectum earundem literarum predictarum publice et solemniter induxit et instituit ibidem Et consequenter iudilate ad domum capitularem necnon ad aulam[3] et alia edificia huiusmodi monasterii successiue ac etiam ad turrem seu fortalicium inibi constructum[4] respectiue

[1] The subprior and other monks had probably fled when deprived of their abbot, as we know that they afterwards returned (v. Nos. 113, 117, etc.) Sir John Mure was at this time subprior (v. No. 69 *ante*), whom Dempster and Father Hay describe as "vir doctissimus, qui multa scripsit et obiit 1585." The subprior appears to have been always second in rank at Crosraguel, as there is no mention of a prior, as at Paisley.

[2] Sir Michael Dewar was in the monastery in the days of old Abbot William in 1546 (v. No. 63 *supra*), and lived in it until at least 1575 (v. No. 118).

[3] *i.e.* The refectory.

[4] Probably the "Abbot's new House." These buildings, of which we have now the first mention, must have been the work of Moubrayer. We learn from Father Hay (*MSS. Adv. Lib.* p. 277) that he was a monk of Crosraguel "qui multa contulit in sui monasterii ornatum et obiit 1547."

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accessit et in iisdem consimiliter introduxit et instituit eundem dominum commendatarium predictum in signum vere institutionis et possessionis predicte Vnde dictus dominus commendatarius sic institutus premissis causantibus aliquot famulos pro debita conseruatione dicti loci nomine ipsius domini commendatarii inibi deputauit imposuit et ibidem pacifice reliquit prout sibi desuper respondere voluerint. Super quibus premissis omnibus et singulis prefatus Magister Alanus Steward commendatarius a me notario publico subscripto sibi fieri petiit instrumentum seu instrumenta publicum seu publica Acta erant hoc in predicto monasterio de Crosraguell modo et forma quibus supra horam circiter decimam ante meridiem Sub anno mense die indictione et pontificatu quibus supra presentibus ibidem providis viris viz., Johanne Steward in Kirktoun Allano Steward in Bradely Johanne Steward et Adamo Steward filiis providi viri domini de Halrig et Patricio testibus ad premissa vocatis pariter et rogatis.

Et ego uero Dauid Sandelandis clericus Glasguensis diocesis publicus auctoritate apostolica sacra notarius quia premissis omnibus et singulis dum sic ut premittitur agerentur dicerentur et fierent vnacum prenominatis testibus presens personaliter interfui et huiusmodi premissa in notam sumpsi ideo hoc presens publicum instrumentum manv alterius me aliis occupato negocijs veraciter scriptum exinde confeci signoque et nomine meis solitis et consuetis in fidem et testimonium veritatis premissorum roboraui rogatus et requisitus etc.

DAVID SANDELANDIS no^rius.

ABSTRACT.

Instrument of institution of Mr. Alan Stewart, perpetual commendator of the monastery of Crosraguel, in the abbacy thereof—bearing that he appeared at the monastery holding in his hands letters patent of Mary Queen of Scots, bearing a gift and donation to him of the foresaid monastery, dated at Edinburgh the 19th of July 1565: and also letters of provision made thereupon by John, archbishop of St. Andrews, primate of Scotland legate nate, and with power of legate a latere and nuncio of the apostolic see to the foresaid Queen Mary, of date at the monastery of Paisley 6 Kalendas Octobris 1565; where he made diligent inquiry for the subprior and convent, but found none present save one religious man, Sir Michael Dewar, whom he asked to show him the entrance to the church of the

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monastery and the stall or principal seat of the Lord Abbot thereof, who inducted and placed him therein: and having received and read the foresaid letters, inducted and instituted the said Alan Steward into real and corporal possession of the foresaid monastery of Crosraguel, rights, annexes, fruits, provents, and pertinents thereof; and thereafter passed and instituted him in the same way in the chapter-house, hall, tower or fortalice thereof. After which the abbot deputed certain servants for preservation of the same in his name, and left them to be answerable to him thereupon. Done in the said monastery of Crosraguel 16th December 1565.

85. *Contract between Allan Abbot of Crosraguel and James Stewart of Cardonald, regarding the Assedation of the Abbacy of Crosraguel.*—[29*th December* 1565.][1]

At Glasgw the xxix day of December the yeire of God ane thowsand fyve hundreth thriescoire fyve yeiris it is contractit appuntit and finallie aggreit betwix Maister Allane Stewartt Abbott of Crosragwele on that ane pairt and James Stewart of Cardonald on the uthir pairt in maner forme and effect as eftire followis Thatt is to saye forsamekle as oure Soverane Lady for trew and thankfull service done to hir grace and hir umquhill darrest mothir Marie Quein Douriar and Regent of Scotland be hir dayelie servituire James Stewartt of Cardonald and in his favour hes gifin and grantit to the said Maistir Allane all and haille the Abacie of Crosragwell vaicand be deceis of umquhill Maistir Quinteine Kennedy last Abbott thairof and becaus that ane noble and mychty Lord Gilbert Erle of Cassillis has tak and assedatioun of the saide umquhill Maistir Quintein of the said Abbacie for payment onely of sevin hundreth merkis off scottis monie yeirelie induring the space of fyve yeiris nixt and immediatly following the feist of Witsounday in the yeir of God ane thowsand fyve hundreth thriescoire and *thrie*[2] yeiris and swa for divers yeiris yitt to ryn the proffit is bot small quhairfore the said Maistir Allane abbott foiresaid in respect of the premissis and for divers gratitudis don to him be the said James hes sett and be the tennour heirof settes to the said James his airis executouris and assignais all and haill the saidis abacie fruittis rentis dewties emolimentis alsweill of the temporallitie as of the spiritualitie quhatsumevir pertening to the said abay or that is

[1] *Culzean Muniments*, No. 669.

[2] Should be *four*, v. No. 77.

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rychtuusly knawin to pertein thairto for all the dayes ande termes of the said abbottis lyftyme the entrie of the said James to be instantly to the said abacie at the day and daitt heirof wyth power to him to uptak quhatsumevir fruittis or dewteis perteining or that may pertein to the said abbacie induring the tyme foiresaid and to dispone thairupone to his awin utilitie and proffit at his awin plessour and als the said abbot foiresaid oblissis him and his successouris to sett and dispone to the said James and infeft him his airis and assignais or ony uthir persoun beand nominat be the said James heritabillie in fewferm of all and haill the temporall landis quhatsumevir perteining to the said abbacie and sall mak seill and subscrive and delivir to him or thame nominat as is afoirsaid be the said James to that effect sufficient infeftmentis being as yitt unsauld or sett in fewferme befoire the day and dait heirof als oft and how sone he be requirit thairto for payment onely of iijs. iiijd. for entrie of ferme or vittuell contenit in the auld rentes alanerly wyth sic clausis and conditionis as ar comounly usit and observit in infeftmentis of fewferme of the consuetuide of this realme with sic augmentationis as the said James sall think maist expedient for his awin securitie and als sall renew infeft or resignne to quhatsumevir uthir personis ane or ma to quhome it sall pleis the said James to dispone the saidis landes or ony pairt thairof in tennentis and heritabill fewaris and infeft tham siclik and als suirelie as the said James was of befoire as ony uthir siclik infeftmentis in this realm othir be resignatioun confirmatioun or infeftmentis als oft as he beyis requiritt to that effect be the said James and na utheris and siclik sall mak seill subscrive and deliver to the said James his airis executouris and assignais ane sufficient lettre of tak of all and haill the teindis and proffittis and quhatsumevir dewteis of the said abbacie for the space of nyntein yeiris for the payment of iijs. iiijd. for the boll of vittuell ouerhed and ijs. viijd. for the boll of aittis and sexten penneis for the staine of cheis according to the auld rentell thairof of the fermes foirsaidis And als the said abbott bindis and oblissis him to resigne and ourgif the said abacie haill title and rycht quhilk he hes or onywayis may haiff thairto be vertew of the said gyft bullus or ony uthirwayis in favouris of quhatsumevir persoun or personis that it sall pleis the said James to nominat thairto and als oft as the said James sall requeir him he sall mak sufficient mandattis to that effect to be usit ay and quhill the said persoun quhilk sall be nominat be the said James as is afoiresaid sall be sufficiently and dewlie provyditt thairto reservyng alanerly to the said abbott the sowme and pensioun of ane

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hundreth pundis usuall monie of this realm to be yeirlie uptakin during the said Abbottis lyftyme of the reddiest fruictis and dewiteis of the Kirkis of Straytoun and Kirkcowby[1] quhilk pensioun the said James oblissis him to thankfully content and paye to the said abbott att twa usuall termes in the yeir videlicet witsonday and mertimes in winter be equall proportionis yeirlie and ilk yeir during the said abbottis lyftyme or to assigne him alsmekle of the saidis kirkis and tenentrie thairof foiresaid to mak him payment of the foirsaid hundreth pundis at the electioun and pleisour of the said abbott begyning the first terme of payment att ony of the said termes nixt and immediatly following the ischew and furthiring of the tak and assedatioun sett to the said Erle of Cassillis be umquhill Maister Quintein Kennedy last abbot thairof and the said abbot hes remittit and be the tennour heirof remittis all and haill the saidis dewteis quhatsumevir of the said abbacie pertening or that may pertein to him be ressoun of the said gyft or bullus foiresaid in favouris of the said James his airis and assignais induring all the dayis and termes of the said abbottis lyftyme safand and exceptand the said sowm of ane hundreth pundis to be payit in maner foirsaid alanerly and sall yeirly and termely as he sall be requiritt to that effect deliver particular acquittance and discharges sufficient als oft as neid beis and for observing of all and haill the premissis bayth the saidis pairtiis ar contentit that this present contract be registrat in the buikis of counsell and haf the strenth of ane decreitt of the Lordis and that executoriallis pas thairupoune in forme as effeiris and thaj to interpone thair auctoritie heir-unto and to that effect thaj and everie ane of thame makis constitutis and ordanis conjunctlie and severallie thair procuratouris wyth power to thame to compeir befoir the saidis Lordis and consent to the registratioun heirof In witnes heirof bayth the saidis partiis hes subscrivit this present contract with thair awin handis day yeir and place foirsaid befoir thir witnes Gawand Grahame Patrik Wowplay and Johnne Anguss wyth utheris divers And fforthirmair in defalt of payment of the said pensioun of ane hundreth pundis as is afoirsaid the haill fruittis of the benefice bayth spirituell and temporall to be sequestrat to the payment be maid.

(Signed) Mast Allane Stewart abot of Corsraguall.
James Stewart of Cardonald.

[1] *i.e.* Kirkcudbright or Ballantrae.

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ABSTRACT.

Contract between Mr. Allan Stewart Abbot of Crosraguel and James Stewart of Cardonald, bearing our sovereign Lady the Queen having by her gift, for the true and thankful service done to her Grace by the said James Stewart, granted to Mr. Allan Stewart the Abbacy of Crosraguel, vacant by the decease of Mr. Quintin Kennedy late abbot thereof, and because Gilbert Earl of Cassillis had a Letter of Assedation of the abbacy from Mr. Quintin Kennedy for the space of five years from Whitsunday 1564, for payment only of 700 merks yearly, and the said sum being small and some years of the Assedation to run, Mr. Allan Stewart for good causes sets to the said James Stewart and his heirs the abbacy with the fruits, rents, profits, duties, and emoluments, both spiritual and temporal, belonging thereto, for all the days of his (Mr. Allan Stewart's) life, and that immediately following the date of the contract, with power to the said James to uptake and receive all the rents, duties, and emoluments belonging to the abbacy; and also promises to set in feu-farm to him the temporal lands of the abbey, and to lease the teinds and duties of the abbey to him for 19 years, for payment of 2s. 4d. for the boll of victual, 2s. 8d. for the boll of oats, and 16 pence for the stone of cheese. Reserving to the abbot a pension of £100, to be yearly uptaken from the churches of Straiton and Kirkcudbright. Dated 29th December 1565.

86. *Assedation by Allan Abbot of Crosraguel to James Stewart for five years of certain lands in the regality of the Abbey.*—[*Dated* 156–.][1]

Be it kend to all men .be thir present Lettres Us Maister Allane Stuart commendatour of the Abbacy of Crosragwell for the singuler weill commoditie and profeit of us and convent of the said Abbacy and for dyveris greit sowmes of money gratitudes profeittis and guid deidis done and paitt to us at the making heirof be ane honorable man James Stewart of Cardonald to haif sett and in tak and assedatione lattin and be the tenour heirof settis and in tak and assedatione lattis to the said James Stewart of Cardonald and Ales Heid his spous and the langar leveing of thayme twa thair airis or assignais ane or ma all and haill our landis

[1] *Culzean Muniments*, No. 675.

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underwrittin videlicet the foure merkland of Mochramhill[1] the viij merkland of Balcristeyne[2] the ten pound land of Drumgarloch[3] the sex merkland of Eister Deneyne the foure merkland of Drummurchy[4] the xl s. land of Cragocht[5] with the coilhucht of Zallowlie the x s. land callit Maltmansland occupiet be Nevin M'Cassill our mylne[6] of Croceragwell our mylne of Drumgarlocht our merkland of Stratoun all liand within our regalitie of Crosragwell erledome of Carrik and scherefdome of Air with all thair pertinentis quhatsumevir perteining thairto or that richteouslie is knawin to apperteyne thairto ffor all and haill the spaces yeiris and termes of five yeiris nixt and immediatlie followeing the said James and Ales and thair airis entres to the said tak Quihilk entres salbe at the feist and terme of witsounday nixt and immediatlie followeing the dait of this present tak and fra thynefurth to induir and be peceable bruikit josit intromettit with occupiet sett usit and disponit be the said James and Ales and thair foirsaidis to the compleit ischew and outrynnyng of the saidis v yeiris with all and syndrie priveledgeis commoditeis fredomes aisamentis richteous pertinentis or that richteouslie salbe knawin to appertein to the foirsaidis landis duiring the space foirsaid with full powar to the said James and Ales and thair foirsaidis to uptak resave gadder leid and uplift and intromett with all and haill the males fermes profeittis teyndis emolimentis and teynd schaves and all uther dewiteis perteining to the saidis landis or that is richteouslie knawin to perteyne thairto quhatsumevir to compone aggre and dispone thairupoun at thair awin plesouris acquittans thairof to gif and alswa gif neid beis to call and persew the intromissouris detentouris and withhalderis or to occupy the foirsaidis landis with thair awin propir guidis quhatsumevir or ony pairt or portioun thairof as he or thay sall think expedient frelie quietlie weill and in peace but ony revocatioun obstacle impediment or againe calling quhatsumevir dureing the space foirsaid of v yeiris and sall never cum into the contrary payand thairfoir the said James Stewart and Ales thair airis and assignais etc. to us and our successores abbates commendatouris and convent of Crosragwell for

[1] Mochrum Hill, a large wooded eminence to the west of Crosraguel.

[2] V. No. 10 *ante*.

[3] Or Dungrelach. V. No. 9 *ante*.

[4] The steading of which seems to have been a residence of Abbot Quintin (No. 72 *supra*).

[5] On the Girvan, near Brunston. There are to this day coalpits in the locality.

[6] The Abbey mills were always a valuable property, and from the earliest times minute regulations for order and precedency were established, and a strict "thirlage" maintained. The mill of Bolden was leased by the Abbey of Kelso for eight merks yearly (*Reg. de Calchou*).

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the tyme or our grentares or factores videlicet for the foure merkland of Mochramhill with the teynd thairof foure merkis, for the viij merkland of Balcristeing with the teynd thairof viij merkis ffor the x lib. land of Drumgarloch with the teynd thairof x lib. ffor the vj merkland of Eister Deneyn vj merkis ffor the foure merkland of Drummurchie with the teynd thairof iiij merkis ffor the xl s. land of Cragocht with the teynd thairof xl s. ffor the coilhuich of Zallowlie xx s. ffor the x s. land occupiet be Nevin M'Cassill x s. ffor the mylne of Crosragwell v merkis and for the mylne of Drumgarloch xl s. usuale money of this realme yeirlie at twa termes in the yeir witsounday and mertymes in winter be equale proportioun allenarlie ffor all utheris teyndis exactiones charge and service that may be justlie askit or requirit thairof for the space abounwrittin And we forswyth and our successores abbotes and commendatores of Crosragwell for the tyme sall warrand acquiet and defend this present tak and assedatioun of all and sindre thir landis myles and coilhuich abonewrittin sall warrand acquiet and defend this present tak and assedatioun to the said James and Ales and thair airis and assignais foirsaidis in all and be all thingis as is abounwrittin aganis all deidlie as law will but fraude or gyle and sall never cum in to the contrary In witnes of the quhilk thing to thir present lettres of tak and assedatioun subscryvit with our hand our seill of office is affixt at . . . the . . . day of . . . the yere of God j^{m} v^{c} threscoir and . . . yeiris befoir thir wittnes Williame Hegaitt noter publict Johnne Reid Johnne Scott Robert Steward and Robert Dunlop with utheris divers. ALLANE Cōmendator of Crosraguall.

ABSTRACT.

Letter of Assedation by Allan Stewart, Abbot of Crosraguel and convent thereof, to James Stewart of Cardonald and Alice Heid his wife, of the four merkland of Mochrumhill, eight merkland of Balchristie, ten pound land of Drumgarloch, six merkland of Easter Duneyn, four merkland of Drummurchy, forty shilling land of Craigoch and coalheuch of Yellowlee, forty shilling land called Maltman's Land, Mill of Crosraguel, Mill of Drumgarloch, and merkland of Straiton, all lying in the regality of Crosraguel, for the space of five years from Whitsunday 1566, paying yearly to the abbot and convent for the four merkland of Mochrumhill and teinds thereof four merks, etc. Dated . . . 156–.

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87. *Assedation by Allan Abbot of Crosraguel to James Stewart of the teind sheaves of the Churches of Kirkoswald, Girvan, and Dailly.*—[*Dated* 156–.][1]

Be it kend till all men be thir present Lettres Us Allane commendator of Crosragwell and convent of the samyn with ane consent and assent chaipterlie gadderit the weill of us and oure successores of the said abbay forsene and considerit ryplie thairwyth avysit for certane plesouris gratitudis and guid deidis done to us and oure plaice foirsaid be ane honorable man James Steward of Cardonald and for certane sowmes of money extending to the sowme of . . . money of this realme befoirhand paitt and debursit be the said James we hald us weill content assyth and paitt thairof and exoneris the said James his airis and assignais thairof for evir to haif sett and in tak and assedatioun lattin and be the tenor heirof settis and in tak and assedatione lattis to the foirsaid James Stuart of Cardonald Alys Heyd his spous the langar levar of thame twa quihilkis failzeing the saidis James airis and assignais quhatsumevir all and haile the teynd schaves[2] growand or salhappin to grow within oure perrochin of Kirkoswall Girvane and Dalie pertenyng to us and to our abbay as persone[3] of the foirsaid Kirkis togedir wyth the alterages and gleib landis of the Kirkis foirsaidis and our parte of the vicaregeis that salhappin to pertene to us and to our plaice of the foirsaid Kirkis of Girvane Kirkoswall and Daly togedir wyth all maner of dewities pertenyng to us and our plaice bayth of personagis and vicaregis of the foirsaid Kirkis and that for all the days yeres space and termes of nynteyne yeres to be compleitlie and fullelie furthrun fra the said James entre and his said spous entre thairto quihilkis entres salbe at the feist and terme of . . . . . in the yere of God J^m v^c sextie and . . . yeres and fra thynefurth to be brukit josit uptane be the said James and his said spous the langar levar of thame twa the saidis James airis or assignais quhatsumevir and intromettit wyth be thame all the days space and termes of the saidis nynteyne yeres with full

[1] *Culzean Muniments*, No. 676.

[2] The teind sheaves, or *decimæ garbales*, consisted of the tenth sheaf taken from the harvest field; the vicarial tithes, or *decimæ vicariæ*, came along with the tithes of the yearly produce of stock, lambs, calves, etc., to the vicar.

[3] When churches were bestowed upon a monastery or cathedral, it was called the rector or person, by English writers *parson imparsonæ*, and was entitled to the rectorial tithes or teind sheaves, the smaller tithes being left for the vicar who served the cure.

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powar to the said James his said spous and his foirsaidis airis and assignais to uptak resave gadder leid and uplift and intromett with the teynd schaves of all and haill the foirnamed kirkis of Kirkoswall Girvan and Dalie and gleib landis togedir wyth the alteragis[1] and our parte of the vicaregis[2] of all and haile the foirsaid Kirkis to compone aggre and dispone thairupon at his or hir foirsaidis plesouris acquittance thairof to gif and also gif neid beis to call and persew the intromissouris tentores and wythhalderis thairof as hie or thay sall think expedient and that frelie quietlie weill and in peace but ony impediment obstacle or agane calling quhatsumevir payand thairfore the saidis James Stewart Alys Heid his spous the langar levar of thame twa and the saidis James airis or assignais quhatsumevir to us and our successouris abbatis or commendatouris and convent of Crosragwell for the tyme or to our grintaris or factoris the sowme of . . . usuale money of this realme at twa termes in the yere Witsounday and Mertymes in winter be equale proportiones allenerlie for all uthir exactiones chargeis questione demand and service that may be askit or requirit thairof And we fforsuyth the said abbot commendator and convent of Crosragwell foirsaidis bindis and oblissis us and our successores abbatis commendatoris and conventis of the samyn for the tyme to warrant acquiet and defend this our present tak and assedatione of all and haill the saidis teyndis schaves of the foirnamit Kirkis gleib landis altaragis and our parte of the vicaregis of Kirkoswall Girvane and Daly liand within the baillerie of Carrik and scherefdome of Air to the said James his airis and assignais during all the days yeres and space of the said nynteyne yeres aganis all deidlie sall warrant and defend and nevir cum in the contrarie thairof In witnes heirof to this our tak subscryvet with our handis the commone seill of our chaptour of our said abbey is hungin at . . . the . . . day of . . . the yere of God J^{m} v^{c} threscoir and . . . yeres befoir thir witnes Williame Hegaitt notare publict Johnne Reid Johnne Scott Robert Dunlop and Robert Steward wyth utheris divers.

ALLANE Cōmēdator of Crosraguall.

[1] *i.e.* The dues and offerings levied and made at the altar, which were usually reserved to the vicar.

[2] Apparently the vicars of these churches only enjoyed part of the vicarage tithes; in some cases, as the vicarage of Lunan in Fife, the vicar received only the altarage.

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ABSTRACT.

Letter of Assedation by Allan Abbot of Crosraguel and convent thereof, to James Stewart of Cardonald and Alice Heyd his wife, of the teind sheaves of the parishes of Kirkoswald, Girvan, and Daily, belonging to the abbacy of Crosraguel; together with the glebe lands and altarages of the churches of the said parishes, and also such part of the vicarage of the said churches as shall happen to belong to the said abbacy, for the space of nineteen years from and after the feast of Whitsunday then next. Dated . . . 156-.

88. *Charter by Allan Abbot of Crosraguel to James Stewart, of certain lands, etc., in the regality of the Abbey, in feu farm.*—[*Dated* 156-.][1]

Omnibus hanc cartam visuris vel audituris Alanus permissione diuina commendatarius perpetuus monasterii Crucis Regalis salutem in Domino sempiternam. Quia huius regni reges diuersi in parliamentis suis cum tribus regni sui statibus terras regis prelatorum dominorum temporalium comitum baronum ceterorumque hominum terras hereditarie possidentium in emphiteosim seu feudifirmam absque rentalium et commoditatum diminutione prout cum tenentibus conuenire poterint per diuersa parliamenti statuta et acta assedandas fore decreuerunt Opinantes perinde commoda non modica vt policiam honesta edificia terrarum nonas culturas sterilium meliorationes arborum plantationes piscium in aquis retentibus per stagna nutritiones columbariorum hortorum viridariorum et cunicularioruin constructiones ac tenentium possessorum huiusmodi terrarum sic in emphiteosim seu feudifirmam locatarum in rebus mobilibus dicationes ac armorum et rerum bellicarum prouisiones pro Regis et regni contra quoscunque inuasores defensione regi regno reipublice salute a prime profitere Et nos scientes statuta et leges prescriptorum regum et maiorum maneriorum toti regno et incolis eiusdem maxime vtiles Omnes et singulas terras nostras aliaque subscripta dicto nostro monasterio spectantia suadentibus premissis in feudifirmam locare statuimus Noueritis igitur nos ac conuentum dicti nostri monasterii ordinis Cluniacensis vnanimi consensu et assensu adhoc capitulariter congregatos diligentibus tractibus et maturis deliberationibus prehabitis in euidentem vtilitatem nostri et successorum nostrorum ac dicti

[1] *Culzean Muniments*, No. 677.

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nostri monasterii et augmentationem rentalis nostri annuatim ad summam subscriptam Necnon pro summa trium millium librarum monete nobis per dilectum nostrum Jacobum Steward de Cardonald persolutarum in reparationem dicti nostri monasterii expositarum [1] et exponendarum de quaquidem summa tenemus nos bene contentos placatos et solutos dictumque Jacobum de eadem exoneramus imperpetuum per tenorem dedisse concessisse vendidisse assedasse arendasse locasse et ad feudifirmam seu emphiteosim hereditarie dimisisse et hac presenti carta mea confirmasse necnon dare concedere assidare arendare locare et ad feudifirmam seu emphiteosim hereditarie dimittere et hac presenti carta mea confirmare dicto Jacobo Steward de Cardonald heredibus suis et assignatis omnes et singulas terras nostras subscriptas, viz., totas et integras duas mercatas terrarum de Cauldwelstoune [2] sex mercatas terrarum de Vestir Dennyne,[3] quatuor mercatas terrarum de M'Kynnistoune,[4] quadraginta solidatas terrarum de Auchnaicht,[5] quadraginta solidatas terrarum de Maxvellistoune,[6] quadraginta solidatas terrarum de Awchinblane,[7] sex mercatas terrarum de Treiff,[8] sex solidatas et octo denariatas terrarum de Dalelong,[9] tres libratas terrarum de Kirkdin,[10] viginti solidatas terrarum de Clauchrieskeoych, viginti solidatas terras de Karnestoune decem solidatas terrarum de Trodonoch,[11] sex solidatas et octo denariatas terrarum de Knokin,[12] tres libratas terrarum de Litilstoune[13] M'Gvnstoune et Drumgorlaw, quadraginta sex solidatas et octo denariatas terrarum de Balserocht [14] et Slabraicht, nouem mercatas terrarum de Dalquherrane alias Bruntstoune,[15] vnam mercatam terrarum de Stratoune, vnam mercatum terrarum de Riddin Rid, duas mercatas terrarum de M'Moreistoune, viginti solidatas terrarum de Lesymon, quadraginta solidatas terrarum de Beltressane,[16] vnam mercatam

[1] The ravages of the Reformers in 1561 had thus been apparently remedied to some extent.

[2] To the west of Mochrumhill, near Culzean.

[3] Two miles north-west of Maybole.

[4] On the Girvan, near Dailly.

[5] Probably the same as Achenacht or Hachethinvach.

[6] Between Dailly and Bargany, on the Girvan.

[7] Auchinblane, near the Abbey on the west, where the three head courts of the Abbey were annually held.

[8] On the high land above Crosshill.

[9] To the west of Trieff.

[10] Probably the same as Kirkdamdie or Kirkdominie. V. note on No. 22.

[11] A short distance below Kirkmichael.

[12] On the Stinchar, in Barr parish, among the hills.

[13] Two miles north-east of Girvan.

[14] Near Drumgarloch, two miles inland.

[15] The old castle of Dalquharran, though in ruins, is still very entire. It stands on the margin of the Girvan, and is described by Abercrumbie.

[16] Or Baltersan. The old castle was formerly a fine mansion, surrounded by gardens, parks, and woods (v. Clerk of Eldin's *Etchings*, No. 28, drawn in 1778). It had been held by the Kennedies from 1470, and was the residence of Egidia, Lady Row. It stands about half a mile west of the Abbey, and is easily seen from the railway.

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terrarum de Knockronald quadraginta solidatas terrarum de Eistir Awchinblane, viginti solidatas terrarum de Chalmeristoune et Lokistoune, viginti solidatas terrarum de Dennyne occupatarum per Jacobum Sym et vnam mercatam terrarum de M'Stophastoune Quequidem terre cum singulis earundem pertinentiis subscriptis jacent in regalitate de Croceragwell balliuatu de Carrik et infra vicecomitatum de Air que etiam terre suprascripte in nostro rentali extendunt prout perprius et longe antea extendebant annuatim ad pecuniarum summas victualia et deuorias particulariter subscriptas ac pro eisdem perprius locari solebant Tenendas et habendas omnes et singulas prenominatas terras respectiue superius nominatas cum singulis suis partibus pendiculis et pertinentiis extendentibus ad mercatas libratas solidatas et denariatas terrarum separatim superius nominatim dicto Jacobo Steward de Cardonald heredibus suis quibuscunque de nobis et successoribus nostris quibuscunque abbatibus commendatariis et conuentibus dicti nostri monasterii in feudifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis[1] moris merresiis viis semitis[2] aquis stagnis riuolis pratis pascuis[3] et pasturis aucupationibus venationibus piscationibus petariis turbariis[4] carbonibus carbonariis cuniculis cunicularis columbis columbariis pomis pomariis fabrilibus brasinis brueriis et genistis siluis nemoribus et virgultis lignis lapicidiis lapide et calce cum curiis et eorum exitibus herezeldis bluduetis et mulierum merchetis[5] cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis et iustis suis pertinentiis ad prefatas terras spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo retinimento reuocatione contradictione aut obstaculo aliquo Reddendo inde annuatim dictus Jacobus Steward de Cardonald heredes sui et assignati nobis et successoribus nostris nostrisque camerariis et factoribus nunc presentibus et pro tempore existentibus pro prefatis duabus mercatis terrarum de Cauldwellistoun quatuor mercas monete et duodecim

[1] Arable lands.

[2] The liberty of roads and paths.

[3] *Pratum* was a hay meadow. Lawful travellers had always the right of pasturing their cattle where they spent the night, except *in pratis et segetibus*.

[4] The places where peats and turfs were cut.

[5] *Herizeld* or Heriot was the best horse or ox of the vassal, which became the property of the lord on his decease. *Bludwites* means the jurisdiction in assaults where there is bloodshed, and where the *wite* or fine went to the lord of the court. *Mercheta* was the old form of marriage tax, paid by both free and servile tenants.

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pultrias pro prefatis sex mercatis terrarum de Vestir Dennyne sex libras monete pro prefatis quatuor mercatis terrarum de M'Kynnistoune quatuor libras . pro prefatis quadraginta solidatis terrarum de Auchnaych quinquaginta et quinque solidos pro prefatis quadraginta solidatis terrarum de Maxvellistoune tres libras . pro prefatis quadraginta solidatis terrarum de Awchinblane quatuor libras . pro prefatis sex mercatis de Treiff sex libras et duodecim pultrias pro prefatis sex mercatis et octo denariatis terrarum de Dalelong quindecim solidos et sex pultrias pro prefatis tribus libratis terrarum de Kirkdin decem libras . pro viginti solidatis terrarum de Clawchrieskerych prescriptis quatuor libras . pro prefatis viginti solidatis terrarum de Karnestoune tres libras et sex pultrias pro decim solidatis terrarum de Trodonoch et sex solidatis et octo denariatis terrarum de Knockin tres libras et duodecim pultrias, pro tribus libratis terrarum de Litilstoune M'Gvnstoune et Drumgorlaw quinque libras . pro quadraginta sex solidatis et octo denariatis terrarum de Balserocht predictis et Slabrachte sex mercas pro prefatis nouem mercatis terrarum de Dalquherrane alias Burntstoune nouem libras . pro prefata vna mercata terrarum de Stratoune quinque mercas et duodecim lie murfowlis [1] pro prefata vna mercata terrarum de Riddein Rid tredecim solidos et quatuor denarios pro prefatis duabus mercatis terrarum de M'Moreistoune quatuor mercas et sex pultrias . pro prefatis viginti solidatis de Lesymon quatuor libras et sex pultrias pro prefatis tribus mercatis terrarum de Beltressane tres libras et duodecim pultrias . pro prefata vna mercata terrarum de Knockronnald viginti solidos et sex pultrias . pro quadraginta solidatis terrarum de Eistir Awchinblane sex libras et sex pultrias pro prefatis viginti solidatis terrarum de Chalmerstoune et Lokistoune tres libras et duodecim pultrias pro prefatis viginti solidatis terrarum de Dennyne occupatis per Jacobum Sym tres libras et sex pultrias et pro prefata vna mercata terrarum de M'Stophastoun quadraginta solidos monete regni Scotie et sex pultrias tanquam lie males et deuorias antiquas solui solitas et in nostro rentali contentas et pro qualibet pultria sex denarios ad placitum adoptionem voluntatem et arbitrium dicti Jacobi Steward heredum suorum et assignatorum ad anni terminos vsitatos et consuetos necnon summam viginti solidorum monete in

[1] Grouse were then, as now, plentiful in Straiton parish. Sir Robert Sibbald thus describes the bird: "Lagopus altera Plinii, attageni *Aldrovandi*, si non eadem. The moor-cock, nostratibus; the moor-fowl, caro admodum tenera est, in junioribus pasertim et optime nutrimenti" (*Hist. Anim. in Scotia*, p. 16, ed. 1684).

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augmentationem nostri rentalis plus quam vnquam prefate terre nobis aut predecessoribus nostris perprius persoluerunt aut dederunt ad duos anni terminos consuetos festa videlicet Penthecostis et Sancti Martini in hieme per equales portiones Necnon heredes dicti Jacobi Steward duplicando dictam feudifirmam primo anno eorum introitus ad dictas terras prout vsus est feudifirme tantum pro omni alio onere exactione questione demanda seu seruitio seculari que de predictis terris cum earundem pertinentiis pro quibuscunque iuste exigi poterint quomodolibet vel requiri Et ego vero dictus Alanus commendatarius et conuentus dicti nostri monasterii et successores nostri omnes et singulas prenominatas terras cum singulis earundem pertinentiis dicto Jacobo Steward de Cardonald heredibus suis et assignatis in omnibus et per omnia forma pariter et effectu vt premissum est contra omnes mortales varrantizabimus acquietabimus et imperpetuum defendemus Insuper volumus et concedimus ac pro nobis et successoribus nostris pro perpetuo decernimus et ordinamus quod vnica saisina per dictum Jacobum in omnibus temporibus futuris per heredes suos apud dictas terras de Cauldwellistoun capienda stabit et sufficiens erit saisina pro omnibus et singulis terris prenominatis partibus pendiculis earundem ac aliis particulariter suprascriptis simili modo et adeo valide ac iure in omnibus ac si particulares et speciales saisine apud quamlibet partem et locum earundem date et suscepte fuissent non obstante quod dicte terre non inuicem sed discontigue iacent Insuper dilectis nostris Johanni Steuard burgensi de Air . . . Et eorum cuilibet ballivis nostris in hac parte specialiter et literatorie constitutis salutem Vobis et vestrum cuilibet coniunctim et diuisim stricte precipimus et firmiter mandamus quatenus visis presentibus indilate statum et saisinam hereditariam necnon realem actualem et corporalem possessionem totarum et integrarum prescriptarum terrarum de Cauldwellistoun extendentium ad duas mercatas terrarum antiqui extentus sex mercatarum terrarum de Vestir Dennyne quatuor mercatarum terrarum de M'Kynnistoune trium mercatarum de Auchnaych trium mercatarum terrarum antiqui extentus de Maxvellistoun trium mercatarum terrarum de Awchinblane trium mercatum terrarum antiqui extentus de Treiff sex solidatarum et octo denariatarum terrarum de Dalelong trium libratarum terrarum antiqui extentus de Kirkdin viginti solidatarum terrarum antiqui extentus de Clauchrieskerych, viginti solidatarum terrarum de Carnestoun decem solidatarum terrarum de Trodonoch et sex solidatarum et octo denariatarum terrarum de Knokin

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trium libratarum terrarum antiqui extentus de Litilstoune M'Glvnstoune et Drumgorlaw, quadraginta sex solidatarum terrarum et octo denariatarum terrarum de Balseroch et Slabrath, nouem mercatarum terrarum antiqui extentus de Dalquherrane alias Bruntstoune vnius mercate terrarum antiqui extentus de Stratoun, vnius mercate terrarum antiqui extentus de Riddin Rid, duorum mercatarum terrarum de M'Moreistoun, viginti solidatarum terrarum antiqui extentus de Lesymon, trium mercatarum terrarum antiqui extentus de Beltressane, vnius mercate terrarum de Kirkronald, quadraginta solidatarum terrarum antiqui extentus de Eistir Awchinblane, viginti solidatarum terrarum de Chalmeristoun et Lokistoun, viginti solidatarum terrarum antiqui extentus de Dennyne occupatarum per Jacobum Sym, vnius mercate terrarum antiqui extentus de M'Strophastoune Quequidem terre cum earundem pertinentiis et alia particulariter suprascripta jacent in regalitate de Croceraguell ballivatu de Carrik et infra vicecomitatum de Air dicto Jacobo Steward de Cardonald heredibus suis et assignatis hereditarie vel suo certo actornato latori presentium per terre et lapidis fundi donationem vt moris est apud dictas terras de Cauldwellistoune pro omnibus et singulis terris particulariter suprascriptis secundum vim formam tenorem et effectum suprascripte carte nostre juste deliberetis et haberi faciatis sine dilatione. Et hoc multo modo omittatis Ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam et irreuocabilem tenore presentium committimus potestatem In cuius rei testimonium presentibus manu nostra ac manualibus dicti nostri conuentus subscriptis sigillum commune capituli nostri est appensum apud dictum nostrum monasterium de Croceraguell die mensis Anno Domini millesimo quingentesimo sexagesimo . . . coram his testibus Gulielmo Hegait notario publico Joanne Reid Roberto Dunlop et Roberto Steward cum diuersis aliis.

ALLAN' COMENDATARI' de Crosraguall.

Dñs ADAMUS MAXWELL manw propria

Dñs MICHAELL DEWAR manu propria

Dompnus GILBERTUS KENEDY[1] manu pp'a

Dñs JOHANES MVRE Junior manu propria

[1] This Gilbert Kennedy was apparently of the Cassillis family. He was censured by the General Assembly in 1587 (v. No. 121 *infra*).

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ABSTRACT.

Charter by Allan, perpetual commendator of the Monastery of Crosraguel, and convent thereof, whereby, for the sum of £3000 paid to him by James Steward of Cardonald, spent in reparation of the monastery, and for augmentation of rental, he lets in feu-farm to the said James Steward of Cardonald, his heirs and assignees, the two merkland of Cauldwellistoune, six merkland of Wester Deneyn, four merkland of M'Kinnistoune, forty shilling land of Auchnaicht, forty shilling land of Maxwellistoune, forty shilling land of Auchinblane, six merkland of Treiff, six shillings and eight pence land of Dalelong, three pound land of Kirkdin, twenty shilling land of Clauchrieskeoych, twenty shilling land of Karnestoune, ten shilling land of Trodonoch, six shillings and eight pence land of Knokin, three pound land of Litilstoune M'Gunstoune and Drumgorlaw, forty-six shillings and eight pence land of Balserocht and Slabraitht, nine merkland of Dalquherrane alias Bruntstoune, one merkland of Stratoune, one merkland of Riddin Rid, two merkland of M'Moreistoune, twenty shilling land of Lesymon, forty shilling lands of Beltressane, one merkland of Knockronald, forty shilling land of Easter Auchinblane, twenty shilling land of Chalmeristoune and Lokistoune, twenty shilling land of Dennyne occupied by James Sym, and one merkland of M'Stophastoun, lying in the regality of Croceraguell, bailliary of Carrik and shire of Ayr. To be held by the said James Steward of Cardonald and his heirs whomsoever of the Abbot and his successors, abbots, commendators, and convent of the monastery, in feu-farm and heritage for ever, for payment yearly for the two merks of Cauldwellistoune of four merks and two poultry; for Dennyne £6; M'Kynnistoune £4, Auchnaych 55s., etc., as the old rental, with the sum of 20s. in augmentation of the rental; and doubling the feu-farm at the entry of every heir. Sasine to be taken on the lands of Cauldwellistoune. Contains a precept of sasine, and is dated at the monastery of Crosraguel 156–, and is signed by the Abbot and Convent.

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89. *Charter by Allan Abbot of Crosraguel to James Stewart, of certain lands in the Regality of the Abbey, in feu-farm.*—[*Dated* 156–.][1]

Omnibus hanc cartam visuris vel audituris Alanus permissione divina commendatarius perpetuus monasterii Crucis Regalis salutem in Domino sempiternam Quia huius regni reges diversi in parliamentis suis cum tribus regni sui statibus terras regis prelatorum dominorum temporalium comitum baronum ceterorumque hominum terras heriditarie possidentium in emphiteosim seu feudifirmam absque rentalium et commoditatum diminutione prout cum tenentibus conuenire poterint per diversa parliamenti statuta et acta assedandas fore decreverunt opinantes per inde commoda non modica ut policeas honesta edificia terrarum novas culturas sterilium meliorationes arborum plantationes piscium in aquis recentibus per stagna nutritiones columbariorum hortorum viridariorum et cunicularioruin constructiones ac tenentium possessorum huiusmodi terrarum sic in emphiteosim seu feudifirmam locatorum in rebus mobilibus dictationes ac armorum et rerum bellicarum provisiones pro regis et regni contra quoscunque invasores defensione Regi regno reipubliceque salute aprime proficere Et nos scientes statuta et leges prescriptorum regum et maiorum numerorum toti regno et incolis eiusdem maxime utiles omnes et singulas terras nostras aliaque subscripta dicto nostro monasterio spectantia suadentibus premissis in feudifirmam locare statuimus Noveritis igitur nos ac conventum dicti nostri monasterii ordinis Cistercensis (*sic*) unanimi consensu et assensu ad hoc capitulariter congregatos diligentibus tractatibus et maturis deliberationibus prehabitis in evidentem utilitatem nostri et successorum nostrorum ac dicti nostri monasterii et augmentationem rentalis nostri annuatim ad summam subscriptam necnon pro summa duorum millium librarum monete nobis per dilectum nostrum Jacobum Steward de Cardonald persolutarum in reparationem dicti nostri monasterii expositarum et exponendarum de quaquidem summa tenemus nos bene contentos placatos et solutos dictumque Jacobum heredes suos et assignatos pro nobis et successoribus nostris de eadem exoneramus imperpetuum presentis carte nostre tenorem dedisse concessisse arrandasse locasse et ad feudifirmam seu emphiteosim pro perpetuo dimisisse et hac presenti carta nostra confirmasse Necnon dare concedere arrandare locare et ad feudifirmam seu emphiteosim pro perpetuo dimittere et hac

[1] *Culzean Muniments*, No. 678.

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presenti carta nostra confirmare dicto Jacobo Steward de Cardonald et Alice Heyd sue sponse et ipsorum alteri diutius viventi in coniuncta infeodatione et heredibus et assignatis dicti Jacobi quibuscunque Omnes et singulas terras nostras subscriptas, viz., totas et integras nostras quatuor mercatas terrarum antiqui extentus de Mochramehill cum decimis garbalibus earundem molendinum[1] nostrum de Croceraguell cum terris molendinariis astrictis multuris sequelis seruitiis dicto molendino ex antiquo debitis et consuetis aque ductu ac aliis singulis suis pertinentiis unacum decimis dicti molendini octo mercatas terrarum antiqui extentus de Belcrystie cum earundem decimis garbalibus decem libratas terrarum eiusdem extentus de Drumgarloch cum molendino eiusdem terris molendinariis astrictis multuris sequelis et servitiis dicto molendino pertinentibus unacum decimis dictarum terrarum de Drumgarloch ac molendini decim solidatas terrarum vocatarum Maltmanisland cum earundem decimis unacum piscationibus ac piscariis aque de Garvane prout in mari ingreditur unacum decimis dicte piscarie quadraginta solidatas terrarum antiqui extentus de Craigoth cum carbonario de Zallowlie infra dictas terras de Craigoth sex mercatas terrarum antiqui extentus de Eister Denneyne quatuor mercatas terrarum eiusdem extentus de Drummorchie Quadraginta denariatas terrarum de Abbatishill cum singulis earundem pertinentiis iacentium in regalitate nostra de Croceraguell comitatu de Carrik et infra vicecomitatum de Air Quequidem terre de Mochramehill in firmis garsumis ac decimis annuatim persoluerunt[2] septuaginta bollas avenarum necnon prefatum molendinum de Croceraguell in firmis et decimis annuatim persolvebat cum dictis terris molendinariis viginti octo bollas farine avenatice quatuor bollas hordei duodecim capones ac unum porcum ac prefate terre de Belcrystie tam pro firmis quam pro decimis annuatim persolverunt quinquaginta sex bollas farine avenatice viginti duas bollas hordei duas bollas tritici duas duodenas de lie pultrie ac dicte terre de Drumgarloch tam pro firmis quam pro earundem decimis ac aliis oneribus annuatim persolverunt octoginta octo bollas farine communis avenatice viginti bollas bone farine triginta quatuor bollas hordei tres duodenas de lie pultrie ac molendinum de Drumgarloch cum terris molendinariis eiusdem annuatim persolvit duodecim bollas farine avenatice quatuor bollas hordei et duodecim capones ac dicte terre vocate Maltmans-

[1] The mill of Crosraguel lay a few hundred yards down the stream towards Baltersan.

[2] From this reference we can glean much valuable information as to the produce of the various lands.

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land annuatim persolvit tam pro decimis quam pro firmis tres libras monete et quatuor capones Et dicta piscaria apud os aque de Garvane annuatim persolvit pro firmis et decimis quadraginta solidos nec ultra iam dictas devorias nec pro firmis nec decimis quicquid aliud persolverunt nec ultra in nostro rentali extendunt ac dicte terre de Craigoyth annuatim persolverunt quatuor libras et dictum carbonarium de Zallowlie infra dictas terras de Craigoyth annuatim persolvit sex libras ac dicte terre de Eister Dennyne annuatim persolverunt viginti sex bollas farine duodecim bollas hordei duas bollas tritici et duodecim pultrias ac dicte quatuor mercate terrarum de Drummorchie annuatim persolverunt quatuor mercas et dicte terre de Abbatishill annuatim persolverunt quinque solidos nec ultra victualia pecuniarum summas ac pultrias persolverunt et in nostro rentali ad eadem extendunt Tenendas et habendas omnes et singulas prenominatas terras silvas nemora molendina carbonarium piscationes et piscarie ac alia particulariter ac separatim respective superius nominata cum singulis suis partibus et pendiculis extendentes ad mercatas libratas solidatas et denariatas terrarum ut predicitur dicto Jacobo Steward de Cardonald Alyce Heyd sue sponse et eorum alteri diutius viventi in coniuncta infeodatione et heredibus et assignatis dicti Jacobi quibuscunque de nobis et successoribus nostris quibuscunque abbatibus commendatariis et conventui pro tempore existentibus et eorum successoribus in feudifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout iacent in longitudine et latitudine in domibus edificiis boscis planis moris merresiis aquis viis semitis stagnis rivolis lacubus pratis pascuis et pasturis molendinis multuris et earum sequelis aucupationibus venationibus piscationibus et presertim cum dicta piscaria aque de Garvane petariis turbariis carbonibus carbonariis cuniculis cunicularis columbis columbariis pomis pomariis fabrilibus brasinis brueriis et genistis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce Cum curiis et earum exitibus herezeldis bluduetis et merchetis mulierum Cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficiis asiamentis ac iustis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam sub terra quam supra terram procul et prope ad predictas terras et alia prescripta cum singulis suis pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo retinemento revocatione aut obstaculo quocunque Reddendo inde annuatim dictus Jacobus Steward de Cardonald et Alyce Heyd sua

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sponsa et ipsorum alter diutius vivens in coniuncta infeodatione heredes et assignati dicti Jacobi quicunque nobis et successoribus nostris nostris eorumve camerariis aut factoribus pro dictis terris de Mochramhill ac earundem decimis septuaginta duas bollas avenarum pro dicto nostro molendino de Croceraguell cum decimis eiusdem ac decimis terrarum molendinariarum viginti octo bollas farine avenatice quatuor bollas hordei duodecim capones ac unum porcum pro dictis octo mercatis terrarum antiqui extentus de Balcrystie ac earundem decimis quinquaginta sex bollas farine avenatice viginti duas bollas hordei duas bollas tritici duas duodenas de lie pultrie pro dictis terris de Drumgarloch ac decimis earundem octoginta octo bollas communis farine avenatice viginti bollas bone farine triginta quatuor bollas hordei tres duodenas de lie pultrie ac pro dictis molendino de Drumgarloch et terris molendinariis eiusdem tam pro firmis quam pro decimis earundem duodecim bollas farine avenatice quatuor bollas hordei et duodecim capones vel pro qualibet bolla avenarum quadraginta denarios et pro qualibet bolla farine avenatice quinque solidos vel pro qualibet bolla hordei sex solidos et octo denarios vel pro qualibet bolla tritici decim solidos pro quolibet capone octo denarios pro qualibet pultria sex denarios ad placitum adoptionem voluntatem et arbitrium dicti Jacobi ac sue sponse heredum suorum et assignatorum prescriptorum ad anni terminos consuetos pro dictis terris de Maltmansland[1] tres libras et quatuor capones et pro dicta piscaria cum decimis eiusdem quadraginta solidos pro dictis terris de Craigoych quatuor libras pro dicto carbonario de Zallowlie sex libras et pro dictis terris de Eistir Dennyne viginti sex bollas farine duodecim bollas hordei duas bollas tritici et duodecim pultrias vel pro qualibet bolla pretium prescriptum ad arbitrium dicti Jacobi et suorum prescriptorum pro dictis terris de Drummorchie quatuor mercas et pro dictis terris de Abbatishill quinque solidos tanquam firmam antiquam pro dictis omnibus terris ante confectionem presentium solvi solitam et consuetam necnon quadraginta solidos monete in augmentationem nostri rentalis plusquam unquam dicte terre nobis aut predecessoribus nostris dederunt aut persolverunt ad duos anni terminos consuetos festa, videlicet, Penthecostes et Sancti Martini in hieme per equales portiones necnon heredes dicti Jacobi duplicando dictam feudifirmam pecuniariam pro pretio prefatorum victualium ac firmam etiam pecuniariam primo anno introitus cuiuslibet heredis prout usus est feudifirme tantum pro omni alio onere

[1] At the mouth of the Girvan, on the north bank, celebrated for its salmon-fishings.

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exactione questione demanda seu servitio seculari que de predictis terris ac aliis prescriptis per quoscunque iuste exigi poterint quomodolibet vel requiri Et nos vero dictus Alanus commendatarius et successores nostri omnes et singulas prenominatas terras cum molendinis ac carbonario antedictis cum singulis earundem pertinentiis dicto Jacobo Steward de Cardonald Alyce Heyd sue sponse et ipsorum alteri diutius viventi in coniuncta infeodatione heredibus et assignatis dicti Jacobi quibuscunque in omnibus et per omnia forma pariter et effectu ut premissum est contra omnes mortales warrantizabimus acquietabimus et imperpetuum defendemus Insuper volumus et concedimus ac pro nobis et successoribus nostris pro perpetuo decernimus et ordinamus quod unica saisina nunc per dictum Jacobum et in posterum per suos heredes omnibus temporibus futuris capienda apud dictas terras de Maltmansland stabit et sufficiens erit sasina pro omnibus aliis terris molendinis carbonario piscaria ac aliis particulariter suprascriptis simili modo et adeo iuridice sicuti particulares et speciales saisine apud quamlibet earundem partem date et capte fuissent non obstante quod dicte terre molendina cum piscaria non invicem sed discontigue iacent Insuper dilectis nostris Joanni Steuard burgensi de Air . . . et eorum cuilibet ballivis nostris in hac parte coniunctim et divisim specialiter ac literatorie constitutis salutem Vobis igitur et vestrum cuilibet stricte precipimus et firmiter mandamus quatenus visis presentibus indilate statum et saisinam hereditariam necnon realem actualem et corporalem possessionem omnium et singularum prefatarum Mochramhill molendini terrarum molendinariarum de Croceraguell cum astrictis multuris et servitiis antedictis octo mercatarum terrarum de Belcrystie decim libratarum terrarum de Drumgarloch terris molendinariis et astrictis multuris decim solidatarum terrarum vocatarum Maltmansland cum earundem decimis ratione solutionis eisdem annuatim dicte piscarie aque de Garvane ac terrarum de Craigoyth cum carbonario de Zallowlie terrarum de Eistir Dennyne terrarum de Drummorchie ac terrarum de Abbatishill cum singulis earundem pertinentiis iacentium in regalitate nostra de Crosraguell comitatu de Carrik et infra vicecomitatum de Air prescriptum dicto Jacobo Steward de Cardonald Alyce Heyd sue sponse et ipsorum alteri diutius viventi in coniuncta infeodatione heredibus et assignatis dicti Jacobi quibuscunque vel suis certis actornatis latoribus seu latori presentium apud dictas terras de Maltmansland pro omnibus aliis terris molendinis carbonario piscaria ac aliis particulariter suprascriptis iuxta et secundum formam vim et tenorem ac

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effectum suprascripte carte nostre iuste deliberetis et haberi faciatis sine dilatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet nostram plenariam et irrevocabilem tenore presentium committimus potestatem In cuius rei testimonium presentibus manu nostra ac manualibus subscriptionibus dicti nostri conventus subscriptis sigillum commune capituli nostri est appensum apud dictum nostrum monasterium de Croceraguell die . . . mensis . . . anno Domini millesimo quingentesimo sexagesimo . . . coram his testibus Villelmo Hegait notario publico Joanne Reid Roberto Dunlop et Roberto Steward.

ALANUS commendatarius de Crosraguoell.
Dominus MICHAELL DEWAR manu propria.
Dominus JOHANNES MVRE iunior manu propria.
Dominus ADAMWS MAXWELL manw propria.
Dompnus GILBERTUS KENEDY manu propria.

ABSTRACT.

Charter by Alan, perpetual commendator of the monastery of Crosraguel and convent thereof, whereby, for certain sums of money paid to them to be expended on the reparation of their monastery by James Steward of Cardonald, they grant in feu-farm to him, and Alice Heyd his wife in conjunct fee, and to the heirs and assignees of the said James whatsoever, all and whole the four merklands of old extent of Mochrumhill, with teind sheaves thereof, the mill of Crosraguel, with mill lands and astricted multures, sequels, and services due and wont, and watergang of the same, with the teinds of the said mill; the eight merkland of old extent of Belcrystie, with teind sheaves of the same; the ten pound land of old extent of Drumgarloch, with mill, mill lands, and multures thereof, and teinds of the same; the ten shilling land called Maltmansland, with teinds thereof; fishings and fisheries of the water of Girvan as it falls into the sea, with teinds of the fishing; the forty shilling land of old extent of Craigoth, with the coalheuch of Yellowlee within the said lands; the six merkland of old extent of Easter Denneyne; the four merklands of Drummorchie; and the forty penny land of Abbotshill, with their pertinents, lying in the regality of Crosraguel, earldom of Carrick and sheriffdom of Air; the lands of Mochrumhill, formerly paid in fermes, grassums, and teinds yearly, 70 bolls of oats; the mill of Crosraguel in fermes and teinds, 28 bolls of oatmeal,

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4 bolls barley, 12 capons, and 1 swine; Balcrystie in fermes and teinds, 56 bolls of oatmeal, 22 bolls of barley, 2 bolls wheat, 2 dozen poultry, etc.; the fishing on the water of Girvan, paying in fermes and teinds 40s.; and the coalheugh of Yellowlie £6 yearly. To be held by him and Alice Heyd his spouse in conjunct fee, and the heirs and assignees of the said James whatsoever, of the abbot and his successors, abbots, commendators, and convent for the time, in feu-farm and heritage for ever, paying for the same the fermes and duties mentioned above, or for every boll of oats 40d., for every boll of oatmeal 5s., boll of barley 6s. 8d., boll of wheat 10s., capon 8d., poultry 6d., at the option of the said James and his spouse and their successors, being the ancient fermes in use to be paid, and in augmentation of rental the sum of 40s.; and a duplicand of the money feu-farm for the foresaid victuals, and the money feu-farm at the entry of each heir. Sasine to be taken on the ground of the lands of Maltmansland; and is dated at the monastery of Crosraguel, 156–, and signed by the abbot and four of the monks.

90. *Assedation by Allan Abbot of Crosraguel to the Earl of Cassillis of the whole benefice of the Abbacy.*—[*Dated* 156–.][1]

Be it kend to all men be thir present lettres Us Maister Allane be the permissioun of God commendatour of Corsraguell with full consent and assent of our convent thairof chaptuirlie gadderit our weill and utilitie foirsene and considerit be us to haif set and for male in assedatioun lattin and be thir present lettres settis and for male in assedatioun lattis to ane nobill and potent Lord Gilbert Erle of Cassillis Lord Kennedy, etc., his airis male and assignayes quhatsumevir all and haill our benefice of Corsraguell ferme land and male land thairof with all and sindry Kirkis pertening to our said benefice videlicet the Kirkis of Stratoun Daly Kirkoswald Gervane and Kirkcubrycht with thair teindis fruictis emoliementis proffitts and small offeringis quhatsumevir pertening to thame with the viccarage and personage of the samyn the mylnis of Corsragell and Drumgirloch with thair thirll multor and suckin[2] thairof with the fysching of the wattir mouth of Gervane with the Eister ward wod and medois now being in the said erlis handis his use and possessioun liand in the Erldome of Carrik and

[1] *Culzean Muniments*, No. 679.

[2] The sucken was the population thirled to the mill.

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sherefdome of Air ffor all the dayis yeiris and termis of fyve yeiris nixt and immediatlie following the day and dait heirof quhilk day and dait is the entre of the said erle and his foirsaidis in and to the said tak of the said benefice Kirkis mylnis fysching male landis ferme landis and all uther emoliementis and proffittis pertening thairto and frathynefurth to indure for the said space of fyve yeiris with all and sindry merchis howssis biggingis corneland unland[1] moss mure medois as the samyn lyis in lenth and breid with commoun pastour fre ische and entre siclike and als frelie as the samyn hes bene bruikit of us and our predicessouris ony tyme of befoir with all merchis boundis lemitis and easmentis quhatsumevir pertening thairto or is knawn to pertene thairto ony maner of way quietlie weill frelie and in peax but reclamatioun or agane calling quhatsumevir with power to the said erle and his foirsaidis to set raiss use and dispone the samyn and to input and remoif tennentis and occupiaris of the saidis landis and benefice mylnis fyschingis thairof als oft as he thinkis expedient during the said space of fyve yeiris and to use and dispone upoun the Kirkis viccarage and personage thairof to his and his foirsaidis utilitie and proffit for the space abone writtin. The said erle and his foirsaidis payand thairfoir yeirlie to us and our successouris Abbottis of Corsraguell the sowme of sevin hundreth merkis money of this realme at twa usuall termis in the yeir Witsounday and Mertymes in winter be equall portiones allanirlie off the quhilk sowme of sevin hundreth markis we hald us weill contentit and satisfeit thairfoir yeirlie during the dait of thir presentis and for us and our successouris Abbottis foirsaidis quyteclamis and dischargis the said erle his airis executouris and assignayes of the said soume of sevin hundreth merkis yeirlie induring the space of thes said assedatioun for now and evir And attour we bind and obliss us and our successouris to mak the said erle and his foirsaidis securitie heirupoun to the effect foirsaid in the sikkerest maner he or thai can devys be avis of men of law quhenevir we be requirit thairto upoun aucht dayis warning and in the meynetyme we and our foirsaidis to be alluterlie secludit fra ony actioun of prosuting of the said erle or his foirsaidis for payment of the said soume induring the said space as said is and we forsuith the said Maister Allane commendatour foirsaid for us and our successouris with consent of our said convent this present tak and assedatioun to the said erle and his foirsaidis in all things abone expremit sall warrand acquiet keip and aganis all deidlie defend but fraude or gyle

[1] Waste land.

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without ony exceptioun of law cannoun or civile to be proponit or allegit in the contrar in the bruiking of the said benefice be the said erle and his foirsaidis during the said space. In witnes of the quhilk thing to thir present lettres of assedatioun subscrivit with our hand and our said conventis our commoun sele is heirto hungin at . . . the . . . day of . . . the yeir of God j^{m} v^{c} threscoir yeiris befoir thir witnesses.

ABSTRACT.

Letter of Assedation[1] by Allan Abbot of Crosraguel and convent thereof to Gilbert Earl of Cassillis of the benefice of Crosraguel, farm land and mail land thereof, with all and sundry churches belonging thereto, viz., Dailly, Girvan, Kirkoswald, Straiton, and Kirkcudbright, and teinds, fruits, profits, etc., and vicarage and parsonage teinds thereof, as also the mill of Crosraguel and Drumgarloch, with their multures, and fishings in the mouth of the Water of Girvan, together with the east wood and meadows then in the earl's possession, all lying in the earldom of Carrick, for the space of five years from the date of the Letter of Assedation, for the yearly payment of 700 merks. Dated 156–.

90A. *Letter of Tack by Henry and Mary, King and Queen of Scots, to Gilbert Earl of Cassillis of the Abbacy of Crosraguel for* 19 *years.* —[10*th February* 1565-6.][2]

Oure Soueranis Lord and Lady ordanis ane Letter to be maid undir the Privie Seil in dew forme makand mentioun that thair Majesties understandis that the Abbay of Corsraguell hes evir bene disponit to freindis of the hous of Cassillis at the sute of the erlis thereof for the tyme and for thair gude

[1] This appears to have been the five year tack which the Abbot was, according to his own account, compelled to sign at Dunure in September 1570. The signature is certainly more straggling than that under No. 120, and it is singular in not being accompanied by the signatures of the other monks.

[2] *Culzean Muniments (Letters).*

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service, quhilk abbay is presentlie vacand[1] in thair hienessis handis Throw deceise of umquhile Quintyne last Abbat thairof, and thair Majesties having the lyke gude opinioun of thair traist cousing Gilbert now Erll of Cassillis Lord Kennedy as thair progenitouris hes evir had of his predecessouris ffor his gude trew and thankfull service Settis and for maill Lattis to the said Erll his airis and assignayis all and haill the said Abbay of Corsraguell with all landis kirkis teyndis milnis multuris woddis fisheingis abbey place housis yardis and pertinentis quhatsumeuir pertenyng thairto For all the space and termis of thre yeris nixt following the day and dait heirof quhilk day and dait salbe thair entre In and to the tak and assedatioun of the said abbay and haill fewis thairof and thaireftir to endure be the said space of thre yeris and eftir the outrynning of the saidis thre yeris utheris thre yeris and sua furth fra thre yeris in thre yeris unto the Ische and full compleit end of nyntene yeris With power to the said Erll his airis and assignais To sett and raise all landis kirkis teyndis and possessionis pertenyng to the said abbay siclike and alsfrelie as the said umquhile Abbat mycht have usit or sett the samyn in his lyvetyme or befor ony dispositioun maid of the samyn or ony part thairof to utheris with all and sindrie utheris commoditeis fredomes etc. frelie quietlie but ony revocatioun And that for the yeirlie payment of the soume of sevin hundredth merkis usuale money of Scotland according as the said Erll is detbund to pay be virtew of the tak and assedatioun quhilk he hes sett to him be the said umquhile Abbat[2] quhilk yeirlie dewtie thair Majesteis for the gude service maid and to be maid to thame be thair said cousing[3] Remittis and dischargeis during all the tyme of this present tak and assedatioun Commanding hir hienes Comptrollar present and to cum and all utheris to desist and ceis fra all craving or uptaking of the said yeirlie dewtie Discharging alswa the Lordis of Counsell and Session of all passing and directing of ony letteris aganis the said Erll his airis and assignais the tenentis occupiaris and possessouris of the landis and possessionis of the said abbay for payment of the rentis and dewiteis therof or ony part of the samyn to ony utheris during the tyme of this present tak and assedatioun Attour thair Majesteis for the causis foir-

[1] But we have seen from No. 82 *supra* that it was granted to Allan Stewart by Queen Mary in the previous July. The Earl seems to have been successful in obtaining the King and Queen's signature to this document, which virtually annuls that grant.

[2] No. 77 *supra*.

[3] This Earl of Cassillis was an ardent supporter of Queen Mary, and was present at the battle of Langside, for which his estates were forfeited (Tytler's *History of Scotland; Historical Account of the Kennedies*, p. 37).

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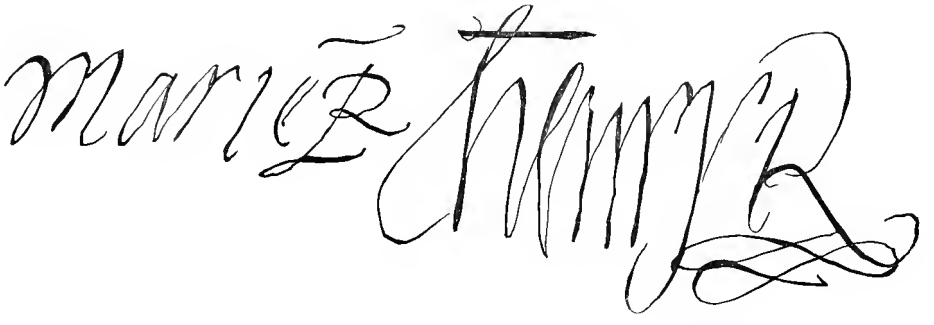
saidis promittis to the said Erll That he sall have ane confirmatioun of all sic few landis as he hes in Carrick and Galloway gratis, without ony compositioune, and commandis the Thesaurair and remanent Lordis Compositouris to pas the samyn confirmationis in maner forsaid And in caise this present tak be nocht sufficient securitie upoun the said benefice Thair Majesteis sall reforme the samyn of new gif need be And that the said Letter be extendit in the best forme with all clausis neidfull Subscrivit be thair Majesteis At Edinburgh the tent day of Februare the yeir of God I^{m} V^{c} thre scoir fyve yeris.



ABSTRACT.

Assedation by Henry and Mary, King and Queen of Scots, to Gilbert Earl of Cassillis, of the whole Abbacy of Crosraguel, with lands, kirks, teinds, mills, place, and other pertinents, now lying vacant and in their Majesties' hands through the decease of Quintin last abbot thairof, for 19 years, for the yearly payment of 700 marks, as it was set to him by the foresaid abbot; discharging him of all payment of the said duty, and commanding their Comptroller to desist from raising the same. Dated at Edinburgh, 10th February 1565-6.

91. *Gift by Pope Pius the Fifth to Mr. Allan Stewart of the Abbacy of Crosraguel.*—[*8th June* 1566.][1]

Per obitum extra curiam Glasguensem.

Beatissime pater, cum monasterium Crucis Regalis alias de Corsregal Cluniacensis ordinis Glasguensis diocesis, quod quondam Quintinus Kennedy

[1] *Culzean Muniments*, No. 687.

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clericus ex concessione seu dispensatione apostolica in commendam dum viveret obtinebat, commenda huiusmodi per obitum dicti Quintini extra Romanam curiam de mense Augusti anni Domini millesimi quingentesimi sexagesimi quarti defuncti cessante adhuc eo quo ante commendam ipsam vacabat, aut alias verte in literis, si videbitur exponendo modo vacaverit et vacet ad presens; supplicat humiliter sanctitatem vestram devotus illius etiam Alanus Stevart presbyter dicti diocesis quatenus sibi in artibus Magister existit . . . ut commodius sustentari valeat de alicuius subventione, auxilio providendo et specialem gratiam faciendo monasterium predictum: cuius et illi forsitan annexi fructus sexaginta librarum sterlingorum secundum communem existimationem valorem annuum non excedunt quouismodo et ex cuiuscunque persona seu per liberam cessionem de illius regimine et administratione cuiusvis de illo in dicta curia vel extra eam etiam coram notario publico et testibus sponte factam aut alias quomodocunque et qualitercunque vacet etiam si devolutum in petitorio vel possessorio litigiosum cuius litis status . . . existat et ex quavis causa illius provisio ad sedem apostolicam specialiter vel generaliter pertineat: eidem oratori per eum quo ad ac etiam unacum omnibus et singulis per eum nunc forsitan et pro tempore obtentis penitus annuis . . . tenendis: Ita quod liceat sibi de fructibus . . . disponere commendare curam ipsius monasterii ac huiusmodi regimen et administrationem sibi in spiritualibus et temporalibus plenarie committendo dignemini de gracia speciali; non obstantibus constitutionibus et ordinationibus apostolicis statutis etiam iuramento . . . roboratis, privilegiis, indultis et literis apostolicis monasterio et ordini pretactis, eorumque superioribus et personis, sub quibuscunque tenoribus et formis, ac cum quibusvis clausulis et decretis, etc., contra commendas ac alias in contrarium quomodolibet concessis; quibus omnibus etiam si de illis tenores latissime derogare placeat, ceterisque contrariis quibuscunque cum clausulis opportunis: pro quo serenissima Maria Regina Scotorum et Henricus Rex per suas literas humiliter supplicant: qui de nobile genere procreatus et de quo consistorialiter disponi minime consuevit.

Fiat ut petitur. M.

Et cum absolutione a censura ad effectum et quod . . . . dispensatio oratoris verusque et ultimus monasterii predicti vacationis modus, etc., si ex illo quevis generalis reservatio etiam in corpore juris clamei resultet, habeantur pro expressis seu in toto vel parte exprimi possint et cum clausula

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generalem reservationem importante, ex quavis causa etiam dispositione exprimendo generaliter, et de commenda . . . eiusdem monasterii ad vitam oratoris etiam unacum quibusvis per eum obtentis et obtinendis penitus . . . . Ita quod liceat de fructibus ut supra latissime extendendo pro dicto oratore, et quatinus litigiosum existat litis status, ac nomina et cognomina judicum, et collitigantium, juraque et tituli illorum exprimi seu etiam pro expressis haberi; et litere in forma gratiose surrogationis etiam quoad possessionem gracie si neutri, si nulli, si alteri perinde et etiam valere aut alias prout utilius videbitur, cum gratitudine opportuna quatenus illi locus sit extendendi simul vel separatim expediri possint; et cum derogatione clausule de anuali possessione quoad primam eius partem si opus sit; ac quorumcunque statutorum, privilegiorum indultorum et literarum predictarum aliorumque contrariorum latissime extendenda, quorum omnium tenores latissime exprimi possint ad effectum; et quod premissorum omnium et singulorum etiam qualitatum . . . denominat . . . nuncupat annenorum, ordinum, dependentiarum fructuum augendo vel minuendo quantum opus fuerit clausula contraria non obstante, cognominum aliorumque necessariorum maior et verior specificatio et . . . expositio fieri possit in literis per obitum apud sedem quatenus defunctus sic obtineret.

Datum Rome apud Sanctum Petrum kalendas Junii Anno primo.

Dorso—

ALANUS STEVVART, etc., per obitum

HATTON.

ABSTRACT.

Gift by Pope Pius the Fifth to Mr. Allan Stewart, priest, of the benefice and abbacy of Crosraguel, vacant by the decease of Mr. Quintin Kennedy, of good memory, late abbot thereof, who died in the month of August 1564, with the fruits, rents, profits, and emoluments of or belonging to the said abbacy, since the same became vacant by the decease of Mr. Quintin Kennedy aforesaid, and in time coming, together with all and sundry rights, privileges, and preeminences, and that in compliance with the former gift of the said abbacy by Queen Mary to the said Mr. Allan Stewart. 8th June 1566.[1]

[1] The appointment of Abbot Allan had thus been made in the first instance by the Queen, confirmed by Archbishop John Hamilton in his dual capacity as Abbot of Paisley and *legatus a latere*, and now ratified by the Pope himself in the following year.

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92. *Precept of Sasine by Allan Abbot of Crosraguel for infefting Janet Wallace in certain lands.*—[*Dated 8th February* 1567.][1]

Allanus permissione diuina commendatarius perpetuus monasterii de Crosraguell et eiusdem loci conventus dilectis nostris Magistro Michaeli Wallace et Wasfurde et eorum cuilibet coniunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem. Quia dedimus concessimus assedavimus arrendavimus locavimus et ad feudifirmam seu emphiteosim hereditarie dimisimus dilecte mee Jonete Wallace in libero tenemento seu vitali redditu pro toto tempore sue vite necnon Willielmo Kirkpatrik eius filio heredibusque suis et assignatis totas et integras quadraginta solidatas terrarum nostrarum de Clonlwicht antiqui extentus cum pertinentiis iacentium in baronia nostra Crosraguell comitatu de Carrik infra vicecomitatum de Air prout in carta nostra eis desuper confecta plenius continetur. Vobis igitur et vestrum cuilibet coniunctim et divisim precipimus firmiterque mandamus quatenus uisis presentibus indilate statum sasinam hereditariam pariterque et possessionem corporalem actualem et realem totarum et integrarum prefatarum cum pertinentiis memorate Jonete in vitali redditu pro tempore sue vite necnon sasinam hereditariam ac possessionem corporalem actualem et realem earundem prenominato Willielmo vel suis certis actornatis latoribus presentium secundum tenorem dicte nostre carte quam de nobis inde habeat iuste haberi faciatis et deliberetis Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim nostram plenariam et irrevocabilem tenore presentium committimus potestatem In cuius rei testimonium presentibus manibus nostris subscriptis sigillum nostrum commune capituli est appensum apud Corsraguell octavo die mensis Februarii anno Domini millesimo quingentesimo sexagesimo septimo coram hiis testibus magistro Michaele Wallace Joanne Chalmers et Willielmo Kirkpatrik cum diversis aliis.

ABSTRACT.

Precept of Sasine by Allan, perpetual commendator of the monastery of Crosraguel, for infefting Janet Wallace in liferent, and William Kirkpatrick her son, and her heirs and assignees, in the forty shilling lands of Clonlicht, of old extent, with the pertinents, in the barony of Crosraguel,

[1] *Culzean Muniments*, No. 715. Compare No. 69 *supra*.

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earldom of Carrick and sheriffdom of Ayr. Dated at Crosraguel 8th February 1567.

92A. *Report on Crosraguel by a Committee of the General Assembly of* 1567.—[23*d July* 1567.][1]

Session 3*d.*

Certain brethren was appointit to convene to sie and advyse upon the assignation of the stipends of the ministrie latelie assignit be the Queen's majestie the good payment, who fand in effect as follows:—

. . . Item, within Kyle, Carrick, and Cunningham, executiouns past, and believis to have payment at the nixt ganging in the countrey.

Item, Corsraguell[2] is given free, and the minister of Failfurd[3] is ill payit.

93. *Agreement between Allan Abbot of Crosraguel and Mr. George Buchanan regarding the Pension due to the latter from the Benefice of the Abbey.*—[28*th April* 1568.][4]

Sederunt Domini Sessionis.

At Edinburgh and Glasgw respective the tent and xxij dayis of Aprile respective the yeir of God J^{m} v^{c} lxviij yeiris it is appoyntit aggreit and finalie concordit betwix worschipfull personis That is to say Maister Allane Stewart abbot or commendator of the abbay of Corsragwell and James Stewart of Cardonald for him selff and as cautioner souertie for the said Maister Allane on that ane pairt and Maister George Buchquhanane pensioner of the said abbay on that uthir pairt in maner forme and effect as eftir followis That is to say the said Maister George haifand be gift of oure soverane Lordis derrest mother for all the dayis of his lyfe be hir lettres under hir privie seill[5] ane yeirlie pensioun of the sowme of fyve

[1] *Book of the Universal Kirk*, part ii. p. 104.

[2] The abbey was thus free from the payment of the Third of £100, for the non-payment of which Abbot Quintin was put to the horn in 1561 (No. 72A *ante*).

[3] The minister of Faill at this time was Robert Cunningham, a natural son of William Earl of Glencairn, who was appointed in 1540 on the death of John Hamilton. On the 6th March 1563-4 he obtained a yearly pension of £100 from the Queen's casualties during life, or until he be provided with a benefice of 100 marks yearly (*Reg. Privy Seal*, xxxii. 40; *Epis. Reg. Scot.*, ii. 86-7). The valuation in 1562 was £184 : 6 : 8 (*Book of Assumptions*).

[4] *Register of Deeds, etc.* (*Scott. Office*), vol. 9, fol. 299.

[5] V. No. 80.

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hundreth pundis usuale money of this realme to be yeirlie uptaikin be him his servandis and factouris in his name at twa termeis in the yeir witsoneday and mertymes in winter be equall portionis of the reddyest fruittis and emolyamentis of the said abbay of Corsragwell than vacand and being in hir Majesteis handis throw the deceis of umquhile Maister Quyntene Kennedy last abbot thairof and for suir payment thairof haifand assignit to him the haill temporalitie of the said abbay with the place mans orchardis manis woddis coilhuichis and pertinentis quhatsumevir pertenyng thairto as the Lettres of Gift maid under the privie seill maid to the said Maister George thairupone mair fullilie proportis Hes gevin grantit and committit and be the tennour heirof gevis grantis and committis to the said Maister Allane full power libertie and fredome to intromett be him his servandis chalmerlanis and factouris in his name with the haill temporalitie of the said abbay place mans orchardis manis woddis coilhuichis and pertinentis quhatsumever pertenyng thairto uptak the maillis fermeis canis customes hariage[1] kariage[2] and uthiris dewiteis quhatsumevir thairof sett and rais the samin input and output the tennentis and occowpyaris thairof during his lyfetyme to the effect he may [be] fullelie possest and placeit in the said abbay and haif the haill intromissioun thairwith Providing always that gif it happins the said Maister Allane to deceis swa that the benefice of the said abbay thairthrow sal happin to waik or gif it happins him to resigne dimit permute or change the samin or that the samin ony uthir maner of way happins to waik in thay caissis or ony of thame the said Maister George sall haif full and fre acces regres and ingress agane in and to his pensioun foirsaid and assignatioun abonespecifiit to be bruikit be him during his lyfetyme conforme to the saidis Lettres of Gift maid to him thairupone ffor the quhilk caussis the saidis Maister Allane and James Stewart of Cardonald and athir of thame conjunctlie and severallie sall content pay and thankfullie delyver to the said Maister George yeirlie during his lyfetyme the said sowme of fyve hundreth pundis usuale money of Scotland at twa termis in the yeir witsoneday and mertymes in winter be evin portionis the first termeis payment begynnand at the feist of witsoneday nixt to cum and gif it happins the said Maister Allane and James to failze in payment to the said Maister George of the said sowme of fyve hundreth pundis yeirlie at the termeis abonespecifiit within fourtie

[1] The agricultural service at seedtime and harvest.

[2] The carriage required for the house.

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dayis nixt efter ilk terme In that cais the said Maister George sall haif full and fre acces regres and ingres agane to his said pensioun and assignatioun foirsaid contenit in the said gift to be bruikit be him during his lyfetyme notwithstanding the pretendit contract or ony uthair rycht titill or renunceatioun maid be him to the said Maister Allane or James in ony tyme bigane Attour baith the saidis pairteis hes revockit renuncat and dischargeit and be the tennour heirof revoikis renunceis and dischargeis all contractis obligationis bandis procuratoreis in rem suam uthairis procuratoreis and rychtis maid be thame or ony of thame to uthairis except this present contract allanerlie in ony tyme bigane befoir the day of the dait heirof and will declairis and ordanis that the samin be of nane availl force nor effect fra thynefurth in tyme cuming and heirto bayth the saidis pairteis bindis and oblissis thame faythfullie to uthiris be thir presentis and ar content that this present contract be actit and registrat in the buikis of counsale and decernit to have the strenth of ane act and decreit of the Lordis thairof with lettres and executoriallis of hoirnyng or poynding to be direct thairupone for compelling of ilk ane of thame to fulfill the samin to uthairis in forme as effeiris and for acting thairof thay haif maid constitute and ordanit and be the tennour heirof makis constitutis and ordanis Maisteris Thomas M'Calzeane Edward Hendersone Richart Strang Alexander Mauchane and ilk ane of thame conjunctlie and severallie thair verry lauchfull and undoutit procuratouris to compeir befoir the saidis Lordis and desyer thir presentis to be registrat in the saidis buikis with lettres and executoriallis to be gevin thairupone in maner abonewritten promittane de rato In witnes of the quhilk thing all the saidis pairteis hes subscrivit this present contract with their handis day yeir and place foirsaidis befoir thir witnessis Thomas Spreull of Caldoun George Galbrayth Maister Thomas Buchquhanane and Johne Reid with uthiris dyvers Sic subscribitur

ALLANE commendator de Corsragwall.
JAMES STEWART of Cardonald.
G. BUCHANAN.

ABSTRACT.

Memorandum of Agreement between Allan Abbot of Crosraguel and James Stewart of Cardonald, acting as his surety, and Mr. George Buchanan, pensioner of Crosraguel, bearing the said Mr. George having a yearly pension

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of £500 from the said abbey, then vacant by the decease of Quintin Kennedy, last abbot thereof, to be yearly uptaken at Whitsunday and Martinmas, and having assigned to him the whole temporality of the abbey, with the place, manse, orchards, mains, woods, coalheuches, and other pertinents, therefore the said Mr. George gives the said Mr. Allan full power to intromit with the temporality of the said abbey, etc., and to uptake the mails, ferms, rents, etc., in his name. Provided that, if Mr. Allan decease or resign his post, or if the abbacy become vacant for any reason, then Mr. George shall have full and free ingress to his pension. Wherefore the said Allan and Mr. James Stewart shall pay yearly to Mr. George Buchanan during his lifetime the said sum of £500. Signed at Edinburgh and Glasgow, before witnesses, on the 28th April 1568.

94. *Letter of Charge at the instance of Allan Abbot of Crosraguel.*—[28*th January* 1569.][1]

James be the grace of God King of Scottis To oure lovittis Andro Bannatyne
Oure shereffis in that parte conjunctlie and severalie specialie constitute greting fforsamekle as it is humbly menit and schewin to us be ane reverend fader in God Allane commendator of Corsraguell that quhair Thomas Kennedye of Barganye allegeand the said commendator to be denunceit our rebell and putt to our horne ffor arte and parte of the slauchteris of umquhile James Ballanye in Prestoun James Dowglas suddart and William Purves servitour to Alexander Home of Manderstoun committit at the Langsyde in the moneth of Maij the yeir of God j^{m} v^{c} lxviij yeiris hes obtenit our utheris Lettrez of captioun and thairwith causit tak and apprehend the said commendator quhome he as yit hauldis in captivitie and will on nawyis latt him to libertie howbeit in veritie the foirsaid commendator hes fund souerte to our justice clerk and his deputtis to underly our lawis for the said cryme the thrid day of our nixt justice air of the schyre quhair he dwell or soner upoun xv dayis warning and in respect thairof is alswa at command of the saidis Lordis of our counsale relaxt fra the proces of our horne as our utheris lettres of his relaxatioun deulie execute and indorsat beris gif swa be Oure will is heirfoir and we charge yow

[1] *Culzean Muniments*, No. 737.

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straitlie and commandeis that incontinent thir our lettrez sene ye pas and in our name and auctoritie command and charge the said Thomas Kennedie and all utheris withhalderis of the said commendator in thraldome and captivitie that thai latt and putt him to libertie within thre dayis nixt efter thai be chargeit be yow thairto undir the pane of rebellioun and putting of thame to our horne or ellis thai compeir upoun the thrid day nixt eftir the charge befoir us and the Lordis of our counsale at Edinburgh or quhair it sal happin us to be for the tyme in the hour of caus with continuatioun of dayis and allege ane ressonabill caus quhy thai suld nocht do the samyn with certificatioun to thame and thay failze we and the saidis Lordis of our counsale in our name will decerne our utheris lettres to be direct simpliciter aganis thame to the effect abone writtin according to justice as ye will answer to us thairupoun The quhilk to do we committ to yow conjunctlie and severalie our full powor be thir our lettrez delivering thame be yow dewlie execute and indorsat agane to the berar Gevin undir our signett at Edinburgh the xxviij day of Januar and of regnne the thrid yeir. Ex deliberatione dominorum consilij, etc. J. BANNATYNE.

ABSTRACT.

Letter of charge at the instance of Allan Abbot of Crosraguel against Thomas Kennedy of Bargany, narrating that the abbot having been denounced rebel and put to the horn for being art and part guilty of the slaughter of James Balany in Preston, James Douglas, and William Purvis, servant to Alexander Home of Manderston, at Langside, in May 1568, and that the said Thomas Kennedy had obtained letters of caption against, and caused apprehend the abbot, whom he held in captivity, and would on nowise liberate, although he had found surety in the Justice Clerk and his deputes to underly the law, etc.; therefore charging the said Thomas Kennedy to set the abbot at liberty, or to appear before the king and lords of Council on the third day after the charge, to show cause to the contrary. Dated 28th January 1569.

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95. *Renunciation by James Stewart to Allan Abbot of Crosraguel.*—[*8th May* 1569.][1]

I James Stewart of Cardonald grantis me to haif resavet ane fyfe yere tak[2] selit and subscrivit be Allane commendator of Corsraguell of all and haill the spirituall and temporall landis of the samyn bayth personag and vicarag daitit at Cardonald the xx day of November the yere of God j^{m} v^{c} lxv yeiris nochtwithstanding I renunce now as than and than as now fra me and all myne the foure merkland callit the manis of Crosraguell with place yardis and all maner of pertinentis pertening thairto to be freilie quietlie and peaceable brukit josit be the saidis commendator and his subtenentis ane or ma induring all the days of the said tak and assedatioun and of all uther takis maid preceding the day and dait heirof the wod and wodfaing only being acceptit provyding alwais that the samyn be cuttit and tane away be the saidis James within the space of ten nixt and immediatle followeing the day and dait of thir presentis. In witnes of the quhilk I the said James hes subscrivit this present renunciatoun of the saidis mains and with all maner of pertinentis as said is at Cardonald the viij day of May 1569 yeiris.

ABSTRACT.

Renunciation by James Stewart of Cardonald to Allan Abbot of Crosraguel, by which he acknowledges having received from the abbot a letter of assedation for five years, of the spiritual and temporal lands of Crosraguel, dated 20th November 1565; yet, notwithstanding, he and his heirs renounce all right to the four merkland called the Mains of Crosraguel, etc., to be possessed by the Abbot and his subtenants during the currency of the said assedation, etc. Dated 8th May 1569.

[1] *Culzean Muniments*, No. 728.

[2] No. 86 *supra*. This would indicate that all the deeds dated 156–, in favour of James Stewart, were signed in 1565.

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96. *Instrument of Resignation by James Stewart.*—[18*th August* 1569.][1]

Anno Domini millesimo quingentesimo sexagesimo nono die vero mensis Augusti decimo octauo Regnique Supremi domini Regis Jacobi Sexti anno tertio in nostrorum notariorum publicorum et testium subscriptorum presentia personaliter constitutus honorabilis vir Jacobus Stewart de Cardonald non vi aut metu ductus nec errore lapsus nec fraude aut dolo aliquo circumventus sed sua mera vera libera et spontanea voluntate prout sequitur in lingua nostra materna etc. Forsamekle as the said James renuncit quitclamit dischargit and ouregife lyke as hie be the tennour heirof frelie renuncis resignis renuncis quitclames dischargis and ouregevis simpliciter fra him his aris successouris and assignais all maner of sesingis and heretable infeftmentis maid and gevin to him and his foirsadis be ane venerable father in God Alane Abbot of Crosraguell[2] or his baillzeis in his name of all and haill the landis following, viz., The fourtie schilling land of Beltarsane the ane markland of Knokronnell the twentie schilling land of Lokistoun and Challmerstoun the aucht schilling land and iiijd worthe callit Frissellistoun occupiit be Thomas Makcatherie the fyfe schilling land of Smethistoun occupiit be Johne Makskalen The fourtie schilling land of Awchinblane occupiit be Patrick Lock the twentie schilling land of Denein occupiit be James Sim Webstair Extending in the haill to alevin merkland of auld extent wyth the pertinentis all lyand in the baillzerie of Carrick and within the schirefdome of Air in favores and in and to ane honorable man Dauid Kennedie of Pennyglen his aris assignais and successouris quhatsumeuer To remane wyth the said Dauid and his foirsaidis heretablie for euer butt reuocatioun And gife the foirsaid resignatioun and renunciation of the foirnemmit landis be nocht sufficient the said James obleis him and his foirsaidis to renew and mak the samyn agane in the maist suyre maner and ample forme that can be devisit vpone the premonitioun of aucht days in vberiori forma Super quibus omnibus et singulis sic premissis prefatus Dauid Kennedie a nobis notariis publicis subscriptis sibi fieri petiit instrumenta publica vnum aut plura Acta erant hec infra burgum de Irwin horam circiter primam post meridiem coram hiis testibus Waltero Kennedie de Knokdone Fergutio Kennedie eius fratre Patricio Hammiltoun de Bogesyde Roberto Stewart filio dicti Jacobi Johanne Reid eius seruo et Johanne

[1] *Culzean Muniments*, No. 729.

[2] By charter No. 88, *supra*.

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Grahame burgensi [de] Glasgow et Georgio Angus notario publico ac meo collega in premissis cum diuersis aliis.

Et ego vero Gavinus Nasmyth clericus Glasgwensis diocesis publicusque perprius auctoritate apostolica notarius ac per dominos consilii secundum tenorem acti parliamenti admissus Quia premissis omnibus et singulis dum sic vt premittitur dicerentur agerentur et fierent vnacum prenominatis testibus presens personaliter interfui eaque omnia et singula sic fieri vidi sciui et audiui ac in notam cepi ex qua hoc presens publicum instrumentum manu mea propria fideliter scriptum exinde confeci et in hanc publicam formam instrumentalem redegi Signoque nomine et cognomine meis solitis et consuetis signaui in fidem robur et testimonium omnium et singulorum premissorum rogatus et requisitus.

GAVINUS NASMYTH notarius publicus.

ABSTRACT.

Notarial Instrument of Resignation made by James Stewart of Cardonald, whereby he resigns and quitclaims all sasines and heritable infeftments given to him, his heirs and successors, by Allan Abbot of Crosraguel, or his bailies in his name, of the forty shilling land of Baltersan, one merkland of Knokronald, twenty shilling land of Lokistoun and Chalmerstoun, eight shilling and fourpence land called Frissellistoun, five shilling land of Smethistoun, forty shilling land of Auchinblain, twenty shilling land of Deneyne, extending in all to eleven merkland of old extent, in the bailiery of Carrick and sheriffdom of Ayr, and that in favour of David Kennedy of Pennyglen, his heirs, assignees, and successors whatsoever. Done in the burgh of Irvine, 18th August 1569.

97. *Instrument of Sasine proceeding on a Charter granted by Allan Abbot of Crosraguel to David Kennedy of Pennyglen.*—[*1st September* 1569.][1]

In Dei nomine: Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno incarnationis dominice millesimo quingentesimo sexagesimo nono et regni supremi domini nostri Regis tertio die

[1] *Culzean Muniments*, No. 731.

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primo mensis Septembris In mei notarii publici et testium subscriptorum presentia personaliter constitutus honorabilis vir Dauid Kennedy de Pennyglen presentauit ad manus honesti sui serui Thome Or balliui in hac parte venerabilis in Christo patris Alani permissione diuina perpetui commendatarii Crucis Regalis quoddam sasine preceptum in cauda cuiusdam carte feodifirme dicti commendatarii insertum et per venerabilem dictum commendatarium subscriptum Quiquidem balliuus in hac parte antedictus idem preceptum reuerentia recepit quia illi decuit illudque mihi notario publico subscripto tradidit perlegendum examplandum et in hanc publicam formam instrumentalem redigendum Cuius tenor sequitur et est talis Quocirca dilectis meis Thome Or et eorum cuilibet coniunctim et diuisim balliuis meis in hac parte specialiter constitutis Vobis et vestrum cuilibet stricte precipimus et mandamus quatenus visis presentibus indilate statum et sasinam hereditariam necnon realem actualem et corporalem possessionem dictarum quadraginta solidatarum terrarum de Eister Auchinblane viginti solidatarum terrarum de Dunene jacentium vt supra dictis Dauidi Kennedy et Katherine Kennedy sue sponse et eorum alteri diutius viventi in coniuncta infeodatione et heredibus prescriptis quibus deficientibus Joanni Kennedy et suis heredibus prescriptis quibus omnibus deficientibus heredibus dicti Dauidis quibuscunque necnon statum et sasinam hereditariam necnon realem actualem et corporalem possessionem dicto Dauidi Kennedy de Pennyglen et heredibus prescriptis totarum et integrarum trium mercatarum terrarum de Balterssane cum domibus hortis pomariis petie prati vnius mercate terre de Knokronnald decem solidatarum terrarum de Chalmerstoun decem solidatarum terrarum de Lokkistoun octo solidatarum et quatuor denariatarum terrarum occupatarum per Thomam M'Carchry et quinque solidatarum terrarum occupatarum per Joannem Mure fabrum cum pertinentiis jacentium vt supra juxta et secundum vim formam et tenorem suprascripte carte nostre iuste deliberetis et haberi faciatis sine delatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet nostram plenariam et irrevocabilem tenore presentium committimus potestatem In cuius rei testimonium presentibus manu nostra ac manualibus subscriptionibus dicti nostri capituli sigillum commune euisdem est appensum apud dictum nostrum monasterium die vigesimo quinto mensis Augusti anno Domini millesimo quingentesimo sexagesimo nono Insuper volumus quod si dicti Dauid et Katherina aut heredes prescripti ac dictus Joannes et sui heredes defecerint in solutione dicti annui canonis sive census per tres terminos sic quod

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duo termini currunt in tertium terminum insoluti tunc in eo casu presens infeodatio et ad feodifirmam dimissio nullis sit robor vel momenti Coram his testibus Gavino Grahame Joanne Grahame Roberto Stewart et Joanne Reid Post cuiusquidem precepti lecturam et interpretationem eiusdem astantibus prefatus Thomas Orr balliuus in hac parte antedictus statum et sasinam hereditariam necnon realem actualem et corporalem possessionem totarum et integrarum prefatarum quadraginta solidatarum terrarum de Eister Auchinblane occupatarum per Patricium Lok et viginti solidatarum terrarum de Dunene occupatarum per Jacobum Sym antiqui extentus cum pertinentiis jacentium in regalitate de Corsraguell comitatu de Carrik et infra vicecomitatum de Air memoratis Davidi et Katherine eius sponse eorumque diutius viventi in coniuncta infeodatione personaliter presentibus necnon statum et sasinam hereditariam ac etiam realem et corporalem possessionem omnium et singularum trium mercatarum terrarum de Baltarssane cum domibus hortis pomariis petie prati totius et integre vne mercate terre de Knokronnald decem solidatarum terrarum de Chalmerstoun decem solidatarum terrarum de Lokkistoun octo solidatarum et quatuor denariatarum terrarum occupatarum per Thomam M'Carchry et quinque solidatarum terrarum occupatarum per Joannem Mure fabrum cum pertinentiis jacentium vt supra predicto Dauidi personaliter etiam presenti per traditionem terre et lapidis ut moris est dedit atque donavit imperpetuum secundum formam et tenorem carte feodifirme dictis dictorum Davidis et Katherine quam inde habent Super quibus omnibus et singulis dicti David et Katherina sua sponsa a me notario publico subscripto illis fieri petierunt instrumenta unum aut plura Acta erant hec super solo dictarum terrarum de Dunene Auchinblane separatim et successive hora decima ante meridiem vel ea circa et super sola dictarum terrarum de Balterssane domuum hortorum pomariorum eiusdem petie prati Knokronnald Chalmerstoun Lokistoun terrarum occupatarum per dictum Thomam et terrarum occupatarum per dictum Joannem fabrum particulariter separatim et successive hora vndecima ante meridiem vel ea circa presentibus ibidem Donaldo Kennedy molo Joanne M'Ilwrayth in Meldinoch Willelmo Smyth Joanne Arthour Roberto Maxwell et Adamo Lawchling in Pennyglen seruitoribus dicti Davidis testibus ad premissa vocatis pariter et rogatis.

Et ego vero Alexander Kessane notarius et clericus Glasguensis diocesis auctoritate regali et per dominos Sessionis admissus quia premissis

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omnibus et singulis dum sic ut premittitur dicerentur agerentur et fierent unacum prenominatis testibus presens personaliter interfui Eaque omnia et singula sic fieri dici scivi vidi et audivi ac in notam cepi ideoque hoc presens publicum instrumentum manu propria fideliter scriptum exinde confeci et in hanc publicam formam redegi signavi et roboravi sub meis signo nomine et cognomine solitis et consuetis in fidem robur veritatis omnium et singulorum premissorum rogatus et requisitus. ALEXANDER KESSANE.

ABSTRACT.

Instrument of Sasine, proceeding upon a precept of sasine contained in a charter granted by Allan, perpetual commendator of the monastery of Crosraguel, dated the 25th August 1569, to David Kennedy of Pennyglen, and Katharine Kennedy his spouse, or the longer liver of them in conjoint fee, and heirs contained in the charter; whom failing, to John Kennedy and his heirs; whom failing, to the heirs of the said David whomsoever, of the forty shilling land of Easter Auchinblane, the twenty shilling land of Deneyne; and to the said David Kennedy and his heirs aforesaid of the three merkland of Baltersan, with houses and orchards, one merkland of Knokronnald, ten shilling land of Chalmerstoun, ten shilling land of Lokkistoun, eight shilling and fourpence land occupied by Thomas M'Carchry, five shilling land occupied by John Mure, smith, with the pertinents, all lying in the regality of Crosraguel, earldom of Carrick and sheriffdom of Ayr. Sasine is given to the said David Kennedy and Katharine his spouse on the grounds of the several lands. 1st September 1569.

98. *Charter by Allan Abbot of Crosraguel to David Kennedy of Balserroch, of certain lands in the Regality of the Abbey.*—[*1st September* 1569.][1]

Omnibus hanc cartam visuris vel audituris Alanus permissione divina commendatarius perpetuus monasterii Crucis Regalis salutem in Domino sempiternam Quia huius regni reges diversi in parliamentis suis cum tribus regni sui statibus terris regis prelatorum dominorum temporalium comitum baronum ceterorumque huiusmodi terras hereditarie possidentium in emphi-

[1] *Culzean Muniments*, No. 732.

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teosim seu feudifirmam absque rentalium et commoditatum diminutione prout cum tenentibus convenire poterunt per diversa parliamenti statuta et acta assedandas fore decreverunt opinantes per inde commoda non modica ut policeas honesta edificia terrarum novas culturas sterilium meliorationes arborum plantationes piscium in acquis recentibus per stagna nutritiones columbarium hortorum viridariorum et cunicularium constructiones ac tenentium possessionum huiusmodi terrarum sic in emphiteosim seu feudifirmam locatarum in rebus mobilibus ditationes ac armorum et rerum bellicarum provisiones pro regis et regno defensione regi regno reipubliceque salute apprime proficere Et nos scientes statuta et leges prescriptorum regum et maiorum nostrorum toti regno et incolis eiusdem maxime utiles omnes et singulas terras nostras aliaque subscripta dicto nostro monasterio spectantes suadentibus premissis in feudifirmam locare statuimus Noveritis igitur nos et conventum nostri monasterii ordinis Cluniacensis unanimi consensu et assensu ad hoc capitulariter congregatos diligentibus tractatibus et maturis deliberationibus prehabitis in evidentem utilitatem nostri et successorum nostrorum ac dicti nostri monasterii et augmentationem rentalis nostri annuatim ad summam subscriptam necnon pro summa quinquagintarum marcarum usualis monete nobis per dilectum nostrum Davidem Kennedie in Balserroch[1] ad reparationem dicti nostri monasterii exponendarum per soluta de qua tenemus nos bene contentos pacatos et solutos dictumque Davidem heredes suos et assignatos pro nobis et successoribus nostris de eadem exoneravimus imperpetuum per tenorem presentis carte nostre Necnon pro ipsius Davidis auxilio nobis hoc tempore plusquam periculoso in singulis vite nostre necessariis prestito et impenso dedisse concessisse arrendasse locasse et ad feudifirmam seu emphiteosim pro perpetuo dimisisse et hac presenti carta nostra confirmasse necnon dare concedere arrendare locare et ad feudifirmam seu emphiteosim pro perpetuo dimittere et hac presenti carta nostra confirmare memorato Davidi Kennedie et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus deficientibus Willelmo Kennedie in Brunstoun suo fratri naturali et heredibus suis masculis de corpore suo legitime procreatis quibus deficientibus Jacobo Kennedie filio naturali dicti Willielmi et heredibus masculis de corpore suo legitime procreandis quibus deficientibus heredibus dicti Dauidis quibuscunque totas et integras nostras quadraginta sex solidatas et octo denariatas terrarum de Balseroch et Slabrachan viginti solidatas

[1] Half-way between Girvan and Kirkoswald.

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terrarum de Litiltoun omnes antiqui extentus cum suis pertinentiis iacentium in parochia de Kirkoswald regalitate nostra de Corsraguell balliatu de Carric et infra uicecomitatum de Air Que etiam predicte terre nobis et predecessoribus nostris summam sex librarum et tredecim solidorum et quatuor denariorum unacum sex lie maill foulis cum mulcturis sequelis et serviciis et devoriis usitatis et consuetis persolverint annuatim in omnibus suis proficiis et nostra rentali ad eandem extendunt Tenendas et habendas totas et integras prenominatas quadraginta sex solidatas et octo denariatas terrarum de Balserrauch et Slabrachan et viginti solidatas terrarum de Litiltoun cum singulis suis pertinentiis dicto Davidi Kennedie et heredibus suis masculis de corpore suo legitime procreatis vel procreandis et ceteris heredibus masculis respective et successive prescriptis de nobis et successoribus nostris abbatibus commendatariis aut aliis dicto monasterio gaudentibus secundum regni iura aut aliis canonice intrantibus per omnes rectas metas suas antiquas et divisas prout iacent in longitudine et latitudine in boscis planis moris marresiis semitis aquis stagnis rivolis pratis pascuis pasturis domibus edificiis aucupationibus venationibus piscationibus molendinis multuris et eorum sequelis petariis turbariis carbonibus carbonariis columbis columbariis cuniculis cunicularis fabrilibus brasinis brueriis et genestis silvis nemoribus et virgultis cum curiis et earum exitibus herezeldis bludewitis et mulierum merchetis lignis tignis lapicidiis lapide et calce cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac iustis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad predictas terras cum singulis earundem pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo impedimento revocatione aut contradictione quacunque Reddendo inde annuatim dictus David Kennedie et heredes sui masculi de corpore suo legitime procreati vel procreandi et ceteri heredes masculi prescripti respective nobis et successoribus nostris nostrorumve camerariis et factoribus pro predictis quadraginta sex solidatis et octo denariatis terrarum de Balserrach et Slabrachan cum suis pertinentiis summam quatuor librarum tredecim solidorum et quatuor denariorum monete regni Scotie unacum solutione trium solidorum et quatuor denariorum in augmentatione dicti nostri rentalis cum multuris eorundem usitatis et consuetis necnon Reddendo inde annuatim pro prescriptis viginti solidatis terrarum de Litiltoun cum suis pertinentiis memoratus David Kennedie et

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heredes sui antedicti nobis et successoribus nostris predictis summam quadraginta solidorum monete predicti ac etiam viginti denariorum in augmentationem predictam plusquam unquam predicte terre ante persolverunt aut dederunt extendentium in integro ad summam sex librarum octodecim solidorum et quatuor denariorum ad duos anni terminos festa, viz. Penthecostes et Sancti Martini in hieme per equales portiones nomine annualis redditus feudifirme necnon dictus David et heredes sui masculi prescripti solvendi molendinis nostris dicti monasterii multuris et sequelis ac devoriis et serviciis prescriptarum viginti solidatarum terrarum de Litiltoun usitatis et consuetis unacum sex lie maill foulis apud festum Penthecostes necnon prestando tres sectas ad tria nostra placita capitalia annuatim super terras nostras de Auchinblane tenendas ac etiam heredes dicti Davidis suprascripti duplicando dictam feudifirmam unius anni primo anno introitus ad prefatas terras prout usus est feudifirme tantum pro omni alio onere exactione questione demanda seu servicio seculari que de predictis terris cum pertinentiis per quoscunque iuste exigi poterit quomodolibet vel requiri Et nos vero et successores nostri totas et integras prenominatas quadraginta sex solidatas et octo denariatas terrarum de Balserroch et Slabrachan viginti solidatas terrarum de Litiltoun antiqui extentus cum singulis eorundem pertinentiis memorato Davidi Kennedie et heredibus masculis suis respective prescriptis in omnibus et per omnia forma pariter et effectu ut premissum est contra omnes mortales warrantizabimus acquietabimus et inperpetuum defendemus Insuper dilectis nostris Joanni Ramsay . . . ac vestrum cuilibet coniunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem vobis igitur et vestrum cuilibet stricte precipimus et mandamus quatenus visis presentibus indilate statum et sasinam hereditariam necnon realem actualem et corporalem possessionem totarum et integrarum predictarum quadraginta sex solidatarum et octo denariatarum terrarum de Balsirauch et Slabrachan ac viginti solidatarum terrarum de Litiltoun cum singulis suis pertinentiis memorato Davidi Kennedie et heredibus masculis suis respective prescriptis vel suis certis actornatis latoribus seu latori presentium secundum vim formam et tenorem suprascripte carte nostre iuste deliberetis et haberi faciatis sine dilatione et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim ballivis nostris in hac parte antedictis nostram plenariam et irrevocabilem tenore presentium committimus potestatem. In cuius rei testimonium presentibus manu nostra ac manualibus dicti nostri conventus subscriptis sigillumque commune capituli

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nostri est appensum apud Mayboll die mensis primo Septembris anno Domini millesimo quingentesimo sexagesimo nono coram hiis testibus Jacobo Steuart de Cardonald Roberto Stewart suo filio et Joanne Grahame.

ALLAN[9] commendatarius de Crosraguall.

Dompnus JOHANNES MURE junior manu propria.
Dompnus MICHAEL DEWAR manu propria.
Dompnus ADAMUS MAXWELL manu propria.
Dompnus DUNCANUS M'KENYNE manu propria.
Dompnus JOHANNES BRVCE manu propria.
Dompnus GILBERTUS KENNEDY manu propria.

Apud Edinburgh octavo Januarii anno Domini j[m] v[c] septuagesimo nono.

Productum coram dominis comissarii.

HEWATT.

ABSTRACT.

Charter by Allan, perpetual commendator of the monastery of Crosraguel and convent thereof, whereby, for the benefit of their monastery, augmentation of rental, and for the sum of 50 merks paid to them by David Kennedy in Balserroch for the reparation of the monastery, and for the said David's help given to them in these more than perilous times in sundry necessaries of life, they give and in feu-farm let to the said David Kennedy and the heirs-male of his body; whom failing, to William Kennedy in Brunstoun, his natural brother, and the heirs-male of his body; whom

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failing, to James Kennedy, son natural of the said William, and the heirs-male of his body; whom failing, to the said David's heirs whatsoever, the 46s. 8d. land of Balserroch and Slabrachan, the 20s. land of Litiltoun, all of old extent, in the parish of Kirkoswald, regality of Crosraguel, bailiery of Carrick and sheriffdom of Ayr; which extended in the rental of the monastery to £6 : 13 : 4, with six maill fowls, multures, sequels, and services due and wont: To be held of the abbot and his successors, abbots commendators, or others enjoying the said monastery, according to the laws of the kingdom, or others canonically entering thereto, for payment to the abbot and his successors of £4 : 13 : 4 for the said lands of Balserroch and Slabrachan, and of 3s. 4d. in augmentation of rental, with multures used and wont; and for the 20s. land of Litiltoun the sum of 40s., and 20d. in augmentation of rental, extending in all to £6 : 8 : 4 yearly, and multures and services to the mill of the monastery due and wont, with six maill fowls at Whitsunday, and three suits yearly at the abbot's three head courts held at Auchinblane, with a duplicand at the entry of each heir. Contains a precept of sasine, and is dated at Maybole 1st September 1569.

99. *Charter by Allan Abbot of Crosraguel to William Kennedy of Brunston, of certain lands in the Regality of the Abbey.*—[*1st September* 1569.][1]

Omnibus hanc cartam visuris vel audituris Allanus permissione divina Commendatarius perpetuus monasterii Crucis Regalis salutem in Domino sempiternam Quia huius regni reges diversi in parliamentis suis cum tribus regni statibus terras regis prelatorum dominorum temporalium comitum baronum ceterorumque huiusmodi terras hereditarie possidentium in emphiteosim seu feudifirmam absque rentalium et commoditatum diminutione prout cum tenentibus conveniri poterint per diversa parliamenti statuta et acta assedandas fore decreverunt opinantes perinde commoda non modica ut policeas honesta edificia terrarum novas culturas sterilium meliorationes arborum plantationes piscium in aquis recentibus per stagna nutritiones columbariorum hortorum viridariorum et cunicularium constructiones ac tenentium possessorum huiusmodi terrarum sic in emphiteosim seu feudifirmam locatarum in rebus mobilibus ditationes ac armorum et rerum bellicarum provisiones pro regis et regni defencione regi regno reipubliceque

[1] *Culzean Muniments*, No. 733.

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saluti apprime proficere Et nos scientes statuta et legis prescriptorum regum et maiorum nostrorum toti regno et incolis eiusdem maxime utiles omnes et singulas terras nostras aliaque subscriptas dicto nostro monasterio spectantia suadentibus premissis in feudifirmam locare statuimus Noveritis igitur nos ac conventum dicti nostri monasterii ordinis Cluniacensis unanimi consensu et assensu ad hoc capitulariter congregati diligentibus tractatibus et maturis deliberationibus prehabitis in evidentem utilitatem nostri et successorum nostrorum ac dicti nostri monasterii et augmentationem rentalis nostri annuatim ad summam subscriptam Necnon pro summa mille marcarum usualis monete nobis per dilectum nostrum Willielmum Kennedy [1] in Brunstoun [2] ad reparationem dicti nostri monasterii exponendarum et persolutarum de qua tenemus nos bene contentos placatos et solutos dictumque Willelmum heredes suos et assignatos pro nobis et successoribus nostris de eadem exoneramus et quieteclamamus inperpetuum per presentis carte nostre tenorem Necnon pro ipsius Willelmi auxilio et suffragio nobis hoc tempore plusquam periculoso in singulis vite nostre necessariis prestito et impenso dedisse concessisse arrandasse locasse et ad feudifirmam seu emphiteosim pro perpetuo dimisisse et hac presenti carta nostra confirmasse Necnon dare concedere arrendare locare et ad feudifirmam seu emphiteosim pro perpetuo dimittere et hac presenti carta confirmare predicto Willelmo Kennedy de Brunstoun Elizabeth Kennedy sue sponse ipsorumque alteri diucius viventi in coniuncta infeodatione et heredibus masculis dicti Willelmi de corpore suo legitime procreandis quibus deficientibus Antonio Kennedy filio legitimo Davidis Kennedy in Balsarroch et heredibus suis masculis de corpore suo etiam legitime procreandis quibus deficientibus Jacobo Kennedy filio naturali dicti Willelmi et heredibus suis masculis de corpore suo legitime procreandis quibus omnibus deficientibus heredibus masculis dicti Willelmi quibuscunque totas et integras nostras sex mercatas octo solidatas et quatuor denariatas terrarum vocatarum Manis de Brunstoun olim nuncupatarum Nether Dalquharrane antiqui extentus cum manerie fortalicio hortis pomariis brueriis earundem vulgo vocatis stallagis vel lie brewlandis cum carbonariis et lie Coilpottis lapicidiis cum earundem silvis et nemoribus cum lie Wodhag [3] infra dictas terras crescentibus aut

[1] These Kennedies of the smaller holdings appear to have done yeoman service in the defence of the Abbey against its enemies.

[2] Brunston stood on a gentle knoll on the north of the Girvan, near Dalquharran, and the ruins are still to be seen. It has the appearance of having been defended by a moat. The family of Kennedy of Brunston was of no great account.

[3] The annual cutting of the wood; from the Old Scotch *hag*, to cut.

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contingerint infra easdem fore cum singulis suis pertinentiis Necnon dedisse concessisse arrandasse locasse et ad feudifirmam seu emphiteosim dimisisse et hac presenti carta nostra confirmasse, ut predicitur, memorato Willelmo Kennedy et heredibus suis masculis de corpore suo legitime procreandis quibus deficientibus omnibus heredibus masculis respective et successive prescriptis totas et integras nostras duas marcatas terrarum de Quarrelhill[1] et quinque solidatas terrarum de Glenord antiqui extentus occupatas tempore confectionis presentium per dictum Willelmum et suos subtenentes que omnes predicte terre extendunt ad novem marcatas terrarum cum singulis suis pertinentiis iacentes in parochia de Daling regalitate nostra de Crosregall comitatu de Carrik et infra vicecomitatum de Air Que etiam predicte terre nobis et predecessoribus nostris summam novem librarum persolverunt annuatim in omnibus suis proficuis et in nostro rentali annuatim extendunt Tenendas et habendas totas et integras prenominatas sex mercatas octo solidatas et quatuor denariatas terrarum vocatarum Manis de Brunstoun cum manerie fortalicio pomeriis hortis brueriis vulgo stallagis vel lie brewlandis cum singulis suis prescriptis specialibus pertinentiis dicto Willelmo Kennedy et Elizabeth Kennedy sue sponse eorumque alteri diucius viventi in coniuncta infeodatione et heredibus masculis dicti Willelmi de corpore suo legitime procreandis et ceteris heredibus masculis respective et successive prescriptis Necnon dictas duas marcatas terrarum de Quarrelhill et quinque solidatas terrarum de Glenord cum singulis suis pertinentiis de nobis et successoribus nostris abbatibus commendatariis aut aliis dicto monasterio gaudentibus secundum regni iura aut aliis canonice intrantibus per omnes rectas metas suas antiquas et divisas prout iacent in longitudine et latitudine in domibus edificiis boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis columbis columbariis cuniculis cunicularis pomis pomeriis fabrilibus brasinis brueriis et genestis silvis nemoribus et virgultis lignis lapicidiis lapide et calce cum curiis et earum exitibus herezeldis bludewetis et mulierum merchetis cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis aisiamentis et iustis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad prefatas terras spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete plenarie integre

[1] One mile north-west of Dalquharran.

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honorifice bene et in pace sine aliquo impedimento revocatione contradictione aut obstaculo aliquali Reddendo annuatim dictus Willelmus Kennedy et Elezabeth Kennedy eius sponsa eorumque alter diucius vivens in coniuncta infeodatione et heredes masculi dicti Willelmi de corpore sue legitime procreandi et ceteri heredes masculi respective prescripti nobis et successoribus nostris nostrorum camerariis et factoribus predictis sex marcatis octo solidatis et quatuor denariatis terrarum de Manis de Brunstoun cum manerie fortalicio hortis pomis pomeriis lapidis brueriis carbonariis silvis et ceteris iustis suis pertinentiis summam septem librarum monete regni Scotie unacum solutione sex solidorum in augmentationem nostri rentalis Necnon reddendo annuatim dictus Willelmus sui prescriptis nobis et nostris prescriptis successoribus pro dictis duabus marcatis terrarum de Quarrelhill et quinque solidatis terrarum de Glenord summam quadraginta solidorum necnon summam trium solidorum in augmentationem predictam plusquam unquam predicte terre ante persolverunt seu dederunt ad duos anni terminos consuetos festa, viz., Penthecostis et Sancti Martini in hieme per equales portiones nomine annualis redditus feudifirme Necnon dictus Willelmus eiusque sponsa eorumque heredes masculi prescripti solvendo molendinis nostris dicti monasterii multuras et sequelas prefatarum terrarum ante confectionem presentium debitas et consuetas Necnon prestando tres sectas ad tria placita nostra capitalia annuatim super terris nostris de Auchinblane[1] tenendas Ac etiam heredes dicti Willelmi suprascripti duplicando dictam feudifirmam unius anni primo anno eorum introitus ad prefatas terras prout usus est feudifirme tantum pro omni alio onere exactione questione demanda seu servitio seculari que de prefatis terris cum pertinentiis pe[r] quoscunque iuste exigi poterit quomodolibet vel requiri Et Nos vero et successores nostri totas et integras prenominatas sex marcatas octo solidatas quatuor denariatas terrarum de Manis de Brunstoun cum manerie fortalicio hortis pomeriis et ceteris prescriptis memorato Willelmo Elezabeth eius sponse eorumque alteri diutius viventi in coniuncta infeodatione et heredibus masculis dicti Willelmi prescriptis Necnon duas marcatas terrarum de Quarrelhill et quinque solidatas terrarum de Glenord dicto Willelmo Kennedy et heredibus suis masculis prescriptis in omnibus et per omnia forma pariter et effectu ut premissum est contra omnes mortales warrantiza-

[1] From this we may infer that the Abbey courts were held annually at Auchinblane, to the west of the building. They were held for the purpose of exacting from the vassals and other tenants of the regality an acknowledgment of superiority.

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bimus acquietabimus et imperpetuum defendemus Insuper dilectis nostris Alexandro Kennedy . . . . . et eorum cuilibet coniunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem Vobis precipimus et mandamus quatenus visis presentibus indilate statum sasinam hereditariam pariterque possessionem corporalem actualem et realem totarum et integrarum sex marcatarum octo solidatarum et quatuor denariatarum terrarum de Manis de Brunstoun cum manerie fortalicio hortis pomeriis silvis carbonibus lapicidiis et ceteris pertinentiis dicto Willelmo Kennedy et Elezabeth Kennedy sue sponse eorumque alteri diutius viventi in coniuncta infeodatione modo prescripto ac etiam hereditariam sasinam prefatarum duorum marcatarum terrarum de Quarrelhill et quinque solidatarum terrarum de Glenord cum iustis suis pertinentiis prefato Willelmo Kennedy vel ipsorum certis actornatis latoribus seu latori presentium per terre et lapidis fundi prefatarum terrarum respective ut moris est traditionem secundum tenorem prescripte carte iuste tradatis et deliberetis et hoc nullo modo omittatis Ad quod faciendum nobis et vestrum cuilibet coniunctim et divisim ballivis nostris in hac parte antedictis nostram plenariam et irrevocabilem tenore presentium committimus potestatem In cuius rei testimonium presentibus manu nostra ac manibus dicti nostri conventus subscriptis sigillum commune capituli nostri est appensum apud dictum nostrum Monasterium de Corsraguell die mensis Septembris primo anno Domini millesimo quingentesimo sexagesimo nono coram hiis testibus Jacobo Stewart de Cardonald Roberto Stewart suo filio et Joanne Grahame.

Allanus commendatarius de Crosraguall.
Dompnus Johannes Myre iunior manu propria.
Dompnus Michaell Dewar manu propria.
Dompnus Adamus Maxwell manu propria.
Dompnus Duncanus M'Kenyne manu propria.
Dompnus Johannes Bryce manu propria.
Dompnus Gilbertus Kennedy manu propria.

Apud Edinburgh octavo Januarii anno Domini j^{m} v^{c} sexagesimo nono.

Productum coram dominis commissariis.

Hewatt.

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ABSTRACT.

Charter by Allan, perpetual commendator of the monastery of Crosraguel and convent of the same, of the Cluniac order, whereby, for the benefit of the order, augmentation of rental, and the sum of one thousand merks paid to them by William Kennedy in Brunstoun, for the reparation of the said monastery and for the help and assistance rendered to them by the said William in this most perilous time in necessaries of life, they give, set, lease, and to feu-farm let for ever to the said William Kennedy in Brunstoun, Elizabeth Kennedy his spouse, and the longer liver of them in conjoint fee, and to the heirs-male of the said William's body; whom failing, to Antony Kennedy, lawful son of David Kennedy in Balserroch, and the lawful heirs-male of his body; whom failing, to James Kennedy, son natural of the said William, and the lawful heirs-male of his body; whom all failing, the heirs-male of the said William whomsoever, all and whole the six merk 8s. 4d. land called Mains of Brunstoun, formerly called Nether Dalquharrane, of old extent, with manor-place, fortalice, orchards, stallages or brewlands, coal-heuchs and coalpots, quarries, woods and groves, with the woodhag growing on the said lands; and, in like manner, the two merkland of Quarrelhill and five shilling land of Glenord, occupied by the said William and his subtenants, all which lands extend to a nine merkland, lying in the parish of Dailly, regality of Crosraguel, earldom of Carrik and sheriffdom of Ayr, and extended to nine pounds yearly in rental; To be held by the said William and Elizabeth and heirs above recited of the granter and his successors, abbots, commendators, or others possessing the said monastery, according to the laws of the realm, or others entering thereto canonically, for payment for the Mains of Brunstoun of the sum of seven pounds Scots yearly and six shillings in augmentation of rental, and for Quarrelhill and Glenord the sum of forty shillings and three shillings in augmentation of rental, in name of annual rent of feu-farm, and rendering to the mills of the monastery the multures and sequels of the said lands due and wont, and giving three suits at the abbot's three head courts held yearly on his lands of Auchinblane, together with a duplicand at the entry of each heir. Contains a precept of sasine, and is subscribed by the abbot and convent, and sealed with the common seal of the chapter at the monastery of Crosraguel 1st September 1569, in presence of James Stewart of Cardonald, Robert Stewart his son, and John Grahame.

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100. *Discharge by George Buchanan to the Earl of Cassillis.*—[12*th September* 1569.][1]

Be it kend till all men be thir present lettres Me Maister George Buchquhannan pensioner of Corsraguell to haif tane and ressavit fra ane nobill and potent Lord Gilbert Earle of Cassillis takkisman and possessour of the haill benefyce of Corsraguell[2] the soume of thre hundreth merkis usuall money of Scotland in part of payment of sevin hundreth merkis restand auchtand to me be the said erle for my said pensioun of the crop and yeir of God J^{m} v^{c} threscoir aucht yeiris be vertew of ane decreit of the Lordis of Sessioun past aganis the said erle at my instance[3] quhairupoun off the quhilk soume of thre hundreth merkis I the said Maister George grantis me to haif ressavit thankfull payment fra the erle as said is and for me my airis executouris and assignayis exoneris quyteclamis and dischairgis him his airis executouris and assignayis thairof for now and evir and sall warrand releif and keip skaythles the said erle and his foirsaidis at all handis havand or pretendand to haif entres to the said soume or ony pairt thairof be this my acquittance subscrivit with my hand at Glasgw the xij day of September the yeir of God J^{m} v^{c} threscoir nyne yeiris befoir thir witnessis Matho Heriot burges of Glasgw Maister Thomas Buchquhannan Johnne Nicholsoun servand to the said Maister George, and Alexander Kessane notar publict, with utheris diverss.

G. Buchanan

T. Buchanan witnes.
Alexander Kessane witnes in the premissis.

ABSTRACT.

Discharge by Mr. George Buchanan, pensioner of Crosraguel, to Gilbert Earl of Cassillis, of the sum of 300 merkis, in part of 700 merks money due by the earl to him for his pension, for the crop and year 1568, and that conform to decree of the Lords of Session at his instance against the earl. Dated 12th September 1569.

[1] *Culzean Muniments*, No. 735.

[2] By charter No. 90, *supra*. The rights granted to Abbot Allan by No. 93 had thus been transferred to the Earl.

[3] In virtue of the succeeding contract, No. 101.

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END OF VOL. I.

OF THE

CHARTERS OF THE ABBEY OF CROSRAGUEL.

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